

IN THE COURT OF PRINCIPAL DISTRICT AND SESSIONS JUDGE,  
TIRUVANNAMALAI

**PRESENT: Thiru.P.Mathusuthanan, B.A.B.L.,**  
Principal Sessions Judge,  
Tiruvannamalai.

Tuesday, the 20<sup>th</sup> day of August - 2024

**Miscellaneous Petition No.1/2024 in C.A.91/2024 in**  
**CNR.No.TNTM010013942024**

V.Rajendhiran, aged about 57 years  
S/o. Venkatarama chettiyar

... Petitioner/Accused

/Vs/

M. Panneer Selvam,  
aged about 59 years S/o. Mani Mudaliar

... Respondent/Complainant

This petition is coming before me on this day for hearing in the presence of Thiru.S.Anandhan, Learned Counsel appearing for the petitioner after hearing the petitioner side and on perusal of available records, this court passed the following....

**ORDER**

This Criminal Miscellaneous Petition has been filed by the petitioner U/s **430(1) of BNSS Act**, praying to suspend the sentence imposed on him by the learned **Judicial Magistrate, Fast track court (Magistrate level), Tiruvannamalai in CC.No.24/2021 dated 27.02.2024.** and enlarged him on bail till the disposal of the appeal.

Heard both sides. Perused the records.

The Learned Counsel for the petitioner submits that the petitioner was on bail during the time of trial and interim suspension of sentence has been ordered by the trial court and further submits that subsequently the trial court issued nonailable warrant as against the petitioner and he has a good chance of success in the appeal and also ready to furnish sufficient sureties and prays for suspension of sentence and compensation imposed on him by the trial court till the disposal of the appeal.

On perusal of the judgment of the trial court, it reveals that the petitioner was found guilty u/s 138 of Negotiable Instrument Act and sentenced to undergo S.I. for Six Months and to pay a compensation of Rs.5,00,000/- u/s.357(3) of Cr.P.C to the

complainant within 2 months in default to undergo S.I. for 2 months. Aggrieved with the above said Judgment, the petitioner has preferred a Criminal Appeal before this Court and the same is taken on file in C.A.No.91/2024. It is further revealed from the judgment that no fine amount has been imposed on the petitioner and the petitioner was on bail throughout the trial period and the sentence was suspended by the trial court, subsequently the trial court issued nonailable warrant as against the petitioner. In that circumstance, while pending execution of NBW, the petitioner has come forward with this petition seeking bail and suspension of sentence alongwith a Criminal Appeal.

By considering all these facts and circumstances of the case, this court is inclined to grant **interim suspension of sentence till 20.09.2024** to the petitioner with the following conditions:-

The petitioner is ordered to be released on bail during the pendency of appeal **on his surrender** and executing a personal bond for Rs.10,000/- with two sureties each for a like sum to the **satisfaction of the Judicial Magistrate, Fast Track Court, (Magisterial Level) Tiruvannamalai.**

On furnishing bail bond, the operation of the sentence of imprisonment shall remain suspended till 20.09.2024.

Further the Petitioner should appear before this Court at 10.30 A.M. on **20.09.2024** in the main appeal and thereafter on subsequent hearing dates without fail.

This petition is posted to **20.09.2024** for enquiry before this Court with regard to extension of interim suspension bail.

Pronounced by me in open Court, on this the 20th day of August 2024.

Principal Sessions Judge,  
Tiruvannamalai.

**Copy to**

The learned Judicial Magistrate, Fast track court (Magistrate level), Tiruvannamalai.  
The Counsel for the petitioner.