

**IN THE COURT OF PRINCIPAL DISTRICT AND SESSIONS JUDGE,
TIRUVANNAMALAI**

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

Friday, the 05th day of April- 2024

Miscellaneous Petition No.1/2024-in C.A.50/2024
CNR.No.TNTM01-001566-2024

Parthiban, aged about 49 S/o. Murugesu Gounder ... Petitioner/Accused
/Vs/

State by S.I of Police,
Santhavalal Police Station,
in Cr.No.282/2009 (CC348/2009) ... Respondent/Complainant

This petition is coming before me on this day for hearing in the presence of Thiru.R.Manogaran, Advocate for the petitioner, and Thiru.K.V.Manoharan, Learned Public Prosecutor for the respondent 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 389(1) of CrI.P.C., praying to suspend the sentence imposed on him by the **Judicial Magistrate, Polur in C.C.No.348/2009 dated 13.03.2024.**

Heard both sides. Perused the records.

The Learned Counsel for the petitioner/appellant submitted that the petitioner has been convicted by the lower court and he was on bail during the time of trial, and the interim suspension of sentence has been ordered by the trial court and further submits that the petitioner has got a good arguable case in the appeal and requests to suspend the sentence imposed on them till the disposal of the main appeal.

The Learned Public Prosecutor leaves the matter to the discretion of the court.

On perusal of the judgment of the trial court, the petitioner was convicted and sentenced to undergo as follows:

Petitioner / Appellant/Accused			
u/s	Sentence	Compensation / Fine	I/d
279 of IPC	Simple Imprisonment for 3 months	Fine of Rs.1,000/-	Simple Imprisonments for 3 weeks
337(4 counts of	Simple	fine of Rs.500/-each (total	Simple

IPC	imprisonment for 3 months each counts	Rs.2000/-	Imprisonment for 3 weeks
304(A) of IPC	Simple Imprisonment for 6 months	Rs.5000/-	Imprisonment for 1.1/2 months

It is further revealed from the records that the petitioner was on bail throughout the trial period and the sentence was suspended by the trial court u/s 389(3) CrI.P.C. Now, the petitioner/appellant has preferred a Criminal Appeal and the same is taken on file in C.A.No.50/2024.

By considering all these facts and circumstances of the case, this court is inclined to grant **interim suspension of sentence till 05.6.2024** to the petitioner.

Accordingly, it is hereby ordered to suspend the sentence imposed on the petitioners **till 05.6.2024**, on his executing an own bond for a sum of Rs.10,000/- with two sureties each for a like sum within 15 days from today to the satisfaction of the **Judicial Magistrate, Polur** and he should appear before this Court at 10.30 A.M. on 05.06.2024 in the main appeal and thereafter on subsequent hearing dates without fail.

This petition is posted to 05.06.2024 for enquiry before this Court with regard to extension of interim suspension bail.

Pronounced by me in open Court, on this the 05th day of April- 2024.

**Principal Sessions Judge,
Tiruvannamalai.**

Copy to
The Judicial Magistrate, Polur
The Counsel for the petitioner.