

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

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

Thursday, the 07th day of December- 2023

Criminal Miscellaneous Petition No.1/2023-in C.A.109/2023
CNR.No.TNTM01-005696-2023

B.Sivakumar, aged about 32 years, S/o. Balan ... Petitioner/Accused
/Vs/

State by S.I of Police,
Kalasapakkam Police Station in Cr.No.346/2016 ... Respondent/Complainant

This petition is coming before me on this day for hearing in the presence of Thiru.R.Lakshmiathan, Advocate 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 petitioners u/s 389(1) of CrI.P.C., praying to suspend the sentence imposed on him by the **District Munsif-cum-Judicial Magistrate, Kalasapakkam in C.C.No.283/2019 dated 16.10.2023.**

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 him 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
325 of IPC	Simple Imprisonment for one year	Rs.3000/-	-

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.109/2023.

By considering all these facts and circumstances of the case, this court is inclined to grant **interim suspension of sentence till 08.1.2024** to the petitioner.

Accordingly, it is hereby ordered to suspend the sentence imposed on the petitioner till 08.1.2024, 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 **District Munsif-cum-Judicial Magistrate Kalasapakkam** and he should appear before this Court at 10.30 A.M. on **08.1.2024** in the main appeal and thereafter on subsequent hearing dates without fail.

This petition is posted to 08.1.2024 for enquiry before this Court with regard to extension of interim suspension bail.

Pronounced by me in open Court, on this the 07th day of December- 2023.

**Principal Sessions Judge,
Tiruvannamalai.**

Copy to

The Counsel for the petitioner.