

IN THE COURT OF PRINCIPAL DISTRICT AND SESSIONS JUDGE,
TIRUVANNAMALAI

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

Tuesday, the 6th day of July- 2024

Miscellaneous Petition No.2/2024 in C.A.88/2024 in
CNR.No. TNTM01-006012-2023

Murugan, aged about 46 years S/o. Arjunan

... Petitioner/Appellant

/Vs/

State by S.I of Police,
Polur Police Station in Cr.No.471/2015

... Respondent/Complainant

This petition is coming before me on this day for hearing in the presence of Thiru.,A.Azaruddin., Learned counsel appearing 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 petitioners U/s **430(1) of BNSS Act**, praying to suspend the sentence imposed on him by the Judicial Magistrate, Polur in C.C.No.08/2017 dated 12.10.2023

Heard both sides. Perused the records.

The petitioner/appellant filed an affidavit stating 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			
u/s	Sentence	Compensation / Fine	I/d
279 of IPC	Simple Imprisonment for three months.	Rs.1000/-	Simple Imprisonment for one month
337 of IPC	Simple Imprisonment for three months	Rs.1000/-	Simple Imprisonment for one month
304 (A)	Simple Imprisonment for Six months	Rs.1000/-	Simple Imprisonment for one and half month
	The above said sentences shall run concurrently.		

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. Now, the petitioner/ appellant has preferred a Criminal Appeal and the same is taken on file in **C.A.No.88/2024**.

By considering all these facts and circumstances of the case, this Court is inclined to grant **interim suspension of sentence till 06.09.2024** to the petitioner.

Accordingly, it is hereby ordered to suspend the sentence imposed on the petitioner till **06.09.2024**, 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 **06.09.2024** in the main appeal and thereafter on subsequent hearing dates without fail.

This petition is posted to **06.09.2024** for enquiry before this Court with regard to extension of interim suspension bail.

Pronounced by me in open Court, on this the 06th day of August - 2024.

**Principal Sessions Judge,
Tiruvannamalai.**

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