

**IN THE COURT OF THE FIRST ADDITIONAL DISTRICT AND SESSIONS
JUDGE (PCR), TIRUCHIRAPALLI**

Present: Tmt. D. Shanmuga Priya, B.L.,
The Sessions Judge, Mahila Court, Tiruchirappalli.

I Additional District Court (PCR), (FAC)

Tuesday, the 11th day of August 2026

Crl.M.P. No. 1509/2026

in

Criminal Appeal No.79/2026

1. Vigneshkumar, age 26,
S/o. Shanmuganathapandiyan,
26/C, Ayyappa Colony,
Kattalaipatti Road,
Sivakasi, Virudhunagar.

2. Jagadish, age 19
S/o Devandhiran,
Samspiran Street,
Big Street, Trichy.

... Petitioners/Appellants.

/Vs/

The Inspector of Police,
Samayapuram, Trichy
in Cr.No. 545/2025

... Respondent/Respondent.

This petition is coming for the final hearing on 07.08.2026 before this Court in the presence of Thiru. R. Saravanakumar, Advocate for the Petitioners and upon perusing the petition, affidavit and upon hearing the counsel for the petitioner's argument, this court passed the following ...

ORDER

1. This petition has been filed by the petitioners under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying for suspension of the sentence pending disposal of the appeal.

2. The learned counsel for the petitioners submitted that the petitioners were convicted by the learned trial Court on 13.03.2026 for the offence under Section 304(2) of the Bharatiya Nyaya Sanhita, 2023, and sentenced to undergo simple imprisonment for three years and to pay a fine of Rs.2,000/- (Rupees Two Thousand only). In default of payment of the fine, the petitioners shall undergo a further period of two months' simple imprisonment in C.C. No. 244 of 2026 on the file of the Judicial Magistrate No. III, Tiruchirappalli. The petitioners/accused have been in prison since 21.12.2025. Hence, the present petition has been filed.

3. The learned counsel for the petitioners further submitted that there are several infirmities in the prosecution case and that there are contradictions in material particulars between the evidence of the prosecution witnesses. This Court has carefully considered the rival contentions put forth by both sides and has also perused the materials available on record.

4. The learned counsel for the petitioners pointed out that there are certain infirmities and inconsistencies in the prosecution case and that there are contradictions in material particulars. The petitioners have raised substantial grounds challenging the order of conviction and sentence, which require serious consideration. It appears that arguable points are involved in the present criminal appeal. Further, the criminal appeal is not likely to be taken up for final hearing in the near future. Therefore, this Court is of the considered view that the petitioners are entitled to the relief of suspension of the sentence of imprisonment imposed upon them in C.C. No. 244 of 2026 by the learned Judicial Magistrate No. III, Tiruchirappalli, by judgment dated 13.03.2026, pending disposal of the criminal appeal, subject to the following conditions

1. The Petitioners shall execute a bond for a sum of Rs.25,000/- each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Tiruchirappalli.

2. The Petitioners shall appear before the Learned Trial Court on all working days at 10.00 A.M. until further orders.

3. The Petitioners shall not commit any kind of offence in the future.

The order is directly dictated to the steno-typist and computerized by him and corrected and pronounced by me in this court on the 11th day of August 2026.

1st Additional District and Sessions Judge (PCR),
Tiruchirappalli.

To:-

The petitioner through his counsel.

Copy to :-

The Judicial Magistrate,
No.III, Tiruchirappalli.