

**IN THE COURT OF III ADDITIONAL DISTRICT AND SESSIONS JUDGE,
TIRUCHIRAPPALLI**

Present : **Thiru.B. Saravanan, B.Sc., B.L.,**
III Additional District & Sessions Judge,
Tiruchirappalli.

Wednesday, the 01st day of July, 2026

Cr.M.P.No.1/2024 in Criminal Appeal No.101/2024

K.Kalaiselvan,
S/o.Kuzhandai Yesu,
No.4/123, Madha Kovil Street,
Thuvakudi,
Tiruchirappalli – 15.

... Petitioner/Appellant/Accused

/Vs/

A.Arockiasamy,
S/o.Anthoni Muthu,
No.5/46, Anthoniar Kovil Street,
Tiruchirappalli -16.

...Respondent/Respondent/Complainant

This petition was coming up before me on 29.06.2026 for final hearing in the presence of Thiru. S.Vithyashankar, Advocate for the Petitioner/Appellant/Accused and the Respondent/ Complainant side has not served the notice and no appearance to till date and the respondent was set exparte on 29.06.2026 and upon perusing the petition, affidavit and documents on record and upon hearing the arguments of petitioner side, having stood over the consideration till this day, this court delivers the following,

ORDER

1. This petition is filed by the Petitioner/Appellant/Accused under Section 430 of BNSS to suspend the sentence imposed by the learned Judicial Magistrate No.6, Tiruchirappalli in S.T.C.No.1558/2014, dated 21.11.2024.

2. The Petitioner/Appellant is the accused before the learned Judicial Magistrate No.6, Tiruchirappalli in S.T.C.No.1558/2014 by way of the judgment dated 21.11.2024, learned Judicial Magistrate No.6, Tiruchirappalli has convicted the Petitioner/Appellant/Accused under Sec.138 of Negotiable Instruments Act and sentenced the Petitioner/Appellant to undergo Simple Imprisonment for One year and directed to pay sum of Rs.3,50,000/-(Rupees Three Lakhs Fifty Thousand only) viz cheque amount of Rs. 2,50,000/- and Rs. 1,00,000/- as compensation to the Respondent/Complainant u/s.357(3) of Cr.P.C.within One month and in default of payment of the compensation, the accused shall undergo a further period of one month Simple imprisonment. Challenging the conviction judgment and sentence, the above appeal is filed before this court.

3. The learned counsel for the Petitioner/Appellant/Accused would submit that trial court judgment is not correct and the same against law and the petitioner/appellant/accused is having good case in this appeal and the appellant is having merits in this appeal and he have filed appeal before this court. Hence, he prayed that the petition may be allowed. The respondent has not appear before this court till 29.06.2026 and the same was set exparte.

4. Heard the petitioner side and perused the records. On perusal of the records, it is found that the Petitioner/Appellant/Accused has raised substantial grounds, challenging the impugned trial court judgment. Further, it is found that the petitioner is having arguable case in the appeal. However, considering the nature and

circumstances of the case, the Petitioner/Appellant/Accused has not made out any extraordinary grounds for granting exemption from depositing the amount which is not less than 20% of the cheque amount in this petition.

5. Hence, considering the nature and circumstances of the case and in the interest of the justice, this court inclined to enlarge the petitioner on interim bail by suspending the sentence, till the disposal of the appeal, subject to the following conditions:

1) The Petitioner/Appellant/Accused has to be released on interim bail on executing a bond for Rs.20,000/- along with two sureties, each for like-sum to the satisfaction of the Judicial Magistrate No.6, Tiruchirappalli.

2) The Petitioner/Appellant shall deposit of Rs.50,000/- being 20% of the cheque amount, before the trial court within 60 days from the date of this order.

3) If the petitioner/Appellant deposits the above said amount within the time frame fixed by this Court, the bail order shall be made absolute till the disposal of this appeal.

4) If the petitioner/Appellant fails to deposit the amount within the time frame fixed above, the interim bail shall stand cancelled.

5) The Petitioner/Appellant shall appear before this court and also before the trial court as and when directed to do so.

Pronounced by me in the open court on this the 1st day of July 2026.

**III Additional District & Sessions Judge,
Tiruchirappalli.**

To

1. The Petitioner through Petitioner's counsel.
2. The Respondent through Respondent's counsel.

Copy to: The Judicial Magistrate No.6, Tiruchirappalli