

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT TIRUVALLUR

Present: Dr. J. JULIET PUSHPA, Ph.D. (Law)

Principal District and Sessions Judge, Tiruvallur

Wednesday, the 17<sup>th</sup> day of June 2026

M.P.No: 1 / 2026 in CrI. Appeal No. 196/ 2026

Suresh S/o.Devadoss

...Petitioner/Accused

//Versus//

The State represented by  
Inspector of Police,  
Pathirivedu Police Station  
Crime No. 308/2018

...Respondent/Complainant

**Petition dt: 29/04/2026 U/s. 430(1) BNSS praying for suspension of sentence pending Criminal Appeal**

This petition coming on this day for hearing before me having the petition filed by the petitioner Counsel M/s.K.Aswin Balaji and upon hearing the arguments of the petitioner/appellant and upon perusing the records and material and hearing both sides, this court made the following:-

**ORDER**

Heard arguments of the learned counsel for the petitioner's Petition filed u/s 430(1) BNSS praying to suspend the sentence imposed by the District Munsif cum Judicial Magistrate Gummidipoondi in C.C.No.66/2023 dated 15.04.2026 concerned with Crime No. 308/2018 on the file of Pathirivedu Police Station for the offence u/s 324, 326 IPC.

The learned counsel for the petitioner has submitted that the trial court without considering material evidence convicted the petitioner and the petitioner is having good case on merits in the Appeal. Hence, prays to suspend the sentence of imprisonment till disposal of appeal.

A perusal of records shows that Trial Court found the petitioner/accused u/s 324 IPC sentenced him to undergo each 2 years simple imprisonment and also to pay a fine of Rs.2,000/- for the said offence in default to undergo one month simple imprisonment and u/s 326 and sentenced to undergo three years simple imprisonment and also to pay a fine of Rs.3,000/- for the said offence in default to undergo one month simple imprisonment.

Notice given to the learned Public prosecutor for the State and he has no objection to suspend the sentence as against petitioner pending appeal.

The trial court convicted the petitioner, As against the conviction and sentence of imprisonment of trial Court, the petitioner/ accused preferred the present appeal which is now taken on file as C.A.196/2026. The trial Court also suspended the sentence of imprisonment u/s 430(1) BNSS for one month as per the order in CMP No.15/2026 dt. 15.04.2026 Admittedly, there is no delay in filing the appeal and now appeal is preferred and the same is admitted.

The learned Public Prosecutor on behalf of the respondent/complainant has no objection in allowing this petition to suspend the sentence of imprisonment till the disposal of Appeal in Crl.A. 196/2026. Fine amount of Rs.5,000/- was paid by the Petitioner/Accused before the Trial Court.

Considering the above said aspects, this Court is inclined to suspend the sentence of imprisonment alone imposed as against the petitioners/accused by the District Munsif cum Judicial Magistrate Gummidipoondi in C.C.No.66/2023 dated 15.04.2026 till the disposal of the Criminal Appeal No. 196/2026. The petitioner/appellant is directed to appear before the IV Additional District and Sessions Judge, Ponneri on 20.07.2026.

Dictated to the Steno Typist and Pronounced by me in Open Court, this the 17<sup>th</sup> day of June 2026.

**Principal District and Sessions Judge,  
Tiruvallur**

**Copy to:-**

The Petitioner's Advocate M/s.K.Aswin Balaji  
The IV Additional District and Sessions Judge, Ponneri  
The District Munsif cum Judicial Magistrate Gummidipoondi