



IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THOOTHUKUDI

Present : Tmt.S.Subadevi, B.A.,B.L.,M.B.A.,

Principal Sessions Judge, Thoothukudi

Friday the 05th day of June 2026

Cr.M.P.No. 2884/2026 in C.A.No. 88/2026

Balamurugan (Vanavil Bala) ... Appellant / Accused No.1

(M/35/2026)

S/o.Mariappan,

2/8, Main Road, Soolaivakkal Post,

Eral Taluk, Thoothukudi District.

-Vs-

State: The Inspector of Police, ...Respondent / Complainant

District Crime Branch,

Thoothukudi.

Crime No.15/2024

Petition u/s. 430(1) BNSS is filed to suspend the sentence of imprisonment to the petitioner / appellant.

This Petition has come up for final hearing before this court today, in the presence of Thiru. J.A.S. Thilak Advocate for the petitioner and in the presence of the learned Public Prosecutor for prosecution.

Heard both side.



ORDER

The petitioner was convicted and sentenced to undergo RI for two years and to pay a fine of Rs.2,000/- each count and in default to undergo RI for a period of one month and in default to undergo simple imprisonment for a one month for offence under Section 420 (2 counts) IPC and by the learned Judicial Magistrate No.IV, Thoothukudi in C.C. No.432/ 2024 dated 24.03.2026. Aggrieved by the same, the petitioner has preferred the above criminal appeal before this Court.

The learned counsel for the petitioner has submitted that, the petitioner has got arguable points in the appeal and that the petitioner has already paid the fine amount before the trial court and fine receipt also produced and that the sentence of imprisonment imposed against the petitioner was suspended by the trial Court as per the order in Cr.M.P. No.648/2026 dated 24.04.2026. Thereafter, the petitioner has been arrested on 02.06.2026 and detained in Central Prison, Palayamkottai. Hence the substantive sentence of imprisonment imposed against the petitioner by the trial Court may kindly be suspended till the disposal of the appeal and the petitioner may be released on bail.

The learned Public Prosecutor has not raised any objection to allow this petition.

Considering the above facts and circumstances of the case that, the petitioner has already paid the fine amount before the trial court and the sentence of imprisonment imposed upon the petitioner was suspended by the trial Court as per the order in Cr.M.P. No.648/2026 dated 24.04.2026 and thereafter the respondent police has arrested this petitioner and he is in prison from 02.06.2026, as per Section 430(1) of BNSS, this Court is inclined to suspend the substantive sentence of imprisonment imposed on the petitioner and to grant bail to the petitioner.



In the result, this petition is allowed and the substantive sentence of imprisonment imposed upon the petitioner by the learned Judicial Magistrate No.IV, Thoothukudi in C.C. No.432/ 2024 dated 24.03.2026 is suspended till the disposal of the appeal and the petitioner is ordered to be released on bail, on executing a bond for Rs.10,000/- along with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate No.IV, Thoothukudi.

Pronounced by me in the Open Court, this the 05th day of June 2026.

Principal Sessions Judge,
Thoothukudi.

To

- The Judicial Magistrate No. IV, Thoothukudi.
- The Public Prosecutor, Principal District Court, Thoothukudi.
- The Inspector of Police, District Crime Branch., Thoothukudi.
- The Advocate for the petitioner.
- The Superintendent of Central Prison, Palayamkottai

They are requested to download the copy of the order from the official web site of this court only for purpose of furnishing sureties before the concerned court.