

In the Court of the Principal Sessions Judge, Tiruvarur.

**Present: Tmt. P. Selva Muthu Kumari, M.L.,
Principal Sessions Judge, Thiruvarur.**

Friday, this the 30th day of January 2026

M.P. No. 1/2026

in

C.A.No. 1/2026

Mohandoss, aged 58/2026
S/o. Viswanathan

... Petitioner / Appellant

Vs

1. Pandiyan, aged 53/2026
S/o. Kuppusamy
2. The Public Prosecutor,
Thiruvarur

... Respondents

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This petition came up before this Court for hearing in the presence of Mr. G. Pazhanivel, advocate for the 1st respondent and Mr. D. Manivannan, Public Prosecutor for the 2nd Respondent and upon perusing the material records, this Court had passed the following :-

ORDER

This petition filed by the Petitioner / Appellant / Accused under section 430 of BNSS. Praying to suspend the sentence and conviction imposed on the Petitioner for the offence under section 138 of Negotiable Instrument Act by the trial court Judgment dated 04.12.2025 in Summary Trial Case Number 451/2022 of Judicial Magistrate, Thiruvarur.

2 . According to the petitioner, the accused had been convicted by the trial court under section 138 of Negotiable Instrument Act and sentenced to undergo Simple Imprisonment for one year with fine of Rs.10,000/- and also ordered to pay the cheque amount of Rs.6,00,000/- as compensation to the complainant by the judgment dated 04.12.2025 in Summary Trial Case Number 451/2022 by Judicial Magistrate, Thiruvarur. The trial court suspended the conviction for until 03.01.2026. The petitioner is on bail through out trial. The petitioner had filed main appeal against the said conviction and judgment of trial court. The petitioner had prayed to suspend the sentence and prayed to allow the petition.

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3. Heard. The records shows that the petitioner had been convicted by the Judicial Magistrate, Thiruvarur and against the said sentence and conviction, the petitioner had preferred criminal appeal 1/2026 before this court. There are many arguable points to be decided in the main appeal. Records reveals that the sentence of conviction and Judgment had been suspended by trial court until 03.01.2026 by order in CrI.M.P.No. 742/2025 dated 04.12.2025. Considering the pendency of appeal and in order to afford an opportunity this court is inclined to suspend the sentence and conviction imposed by the Judicial Magistrate, Thiruvarur under section 430 of BNSS., till the disposal of the appeal with the following conditions.

4. In the result, the conviction and sentence passed in S.T.C. No. 451/2022 of Judicial Magistrate, Thiruvarur shall be suspended till thirty days only and on the condition, the petitioner shall be deposit 20% of compensation amount and the petitioner is allowed to be on bail. The petitioner shall report and sign before Judicial Magistrate, Thiruvarur on the first working day of every month from the date of release until further orders. The sentence and conviction passed by the Judicial Magistrate, Thiruvarur in Summary Trial Case Number 451/2022 shall be suspended till 02.03.2026. Call on 03.03.2026 for reporting as to the compliance.

Pronounced by me in Open Court, this the 30th day of January 2026.

**Principal Sessions Judge,
Thiruvarur.**

Copy to (Through E-mail) :-

1. Judicial Magistrate, Thiruvarur.
2. The Counsel of the Petitioner / Appellant / Accused.