

In the Court of the Principal Sessions Judge, Tiruvarur.

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

Friday, this the 13th day of March 2026

M.P. No. 1/2026

in

C.A.No. 28/2026

G.K. Gandhi,
S/o. Kasinatha Thevar

... Petitioner / Appellant

Vs

1. Karthikesan,
S/o. Ganesan
2. The Public Prosecutor,
Thiruvarur

... Respondents

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This petition came up before this Court for hearing in the presence of Mr. R. Muthaiyan, Advocate having represented the petitioner / accused, 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 06.02.2026 in Summary Trial Case Number 98/2023 of Judicial Magistrate, Fast Track Court, Thiruthuraiipoondi.

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 and also ordered to pay the cheque amount of Rs.2,50,000/- as compensation to the complainant by the judgment dated 06.02.2026 to pay in two months, in default simple imprisonment for two months in Summary Trial Case Number 98/2023 by Judicial Magistrate, Fast Track Court, Thiruthuraiipoondi. The trial court suspended the conviction for until six months. 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, Fast Track Court, Thiruthuraipoondi and against the said sentence and conviction, the petitioner had preferred criminal appeal 28/2026 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 six months by order in CrI.M.P.No. 11/2026 dated 06.02.2026. 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, Fast Track Court, Thiruthuraipoondi 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. 98/2023 of Judicial Magistrate, Fast Track Court, Thiruthuraipoondi 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, Fast Track Court, Thiruthuraipoondi 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, Fast Track Court, Thiruthuraipoondi in Summary Trial Case Number 98/2023 shall be suspended till 13.04.2026. Call on 15.04.2026 for reporting as to the compliance.

Pronounced by me in Open Court, this the 13th day of March 2026.

**Principal Sessions Judge,
Thiruvarur.**

Copy to (Through E-mail) :-

1. The Judicial Magistrate, Fast Track Court, Thiruthuraipoondi.
2. The Counsel of the Petitioner / Appellant / Accused.