

In the Court of the Principal Sessions Judge, Tiruvarur.

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

Tuesday, this the 28th day of April 2026

M.P.No. 1/2026

in

C.A. No.40/2026

Selvamaran, aged 30/2026,
S/o. Manimaran

... Petitioner/ Accused.

Vs

State rep. through the Inspector of Police,
Kodavasal Police Station,
Crime Number 185/2025.

... Respondent/Complainant.

This petition came up before this Court for hearing moved by Mr. R. Muthaiyan, Advocate for the petitioner/ accused and Mr. D. Manivannan, Public Prosecutor for the State and upon perusing the petition and reply, this Court passes the following:-

ORDER

Petition filed by the Petitioner / Accused under section 430(1) of BNSS. Praying to suspend the sentence and conviction imposed on the Petitioners for the offence under section 305, 331(4) of BNS by the District Munsif-cum-Judicial Magistrate, Kodavasal Judgment dated 16.04.2026 in Calendar Case Number 101/2025.

2. According to the petitioner, the petitioner had been convicted by the District Munsif-cum-Judicial Magistrate, Kodavasal sentenced to undergo Rigorous Imprisonment for three years and to pay a fine of Rs.2,500/- in default to undergo one month Simple Imprisonment for the offence u/s. 305 of BNS, sentenced to undergo Rigorous Imprisonment for three months and to pay a fine of Rs.2,500/- in default to undergo one month Simple Imprisonment for the offence u/s. 331(4) of BNS. The petitioner had paid the total fine of Rs.5,000/- before the District Munsif-cum-Judicial Magistrate, Kodavasal on 16.04.2026 and had enclosed the fine receipt. The Petitioner had been detained in the Central Prison, Thiruchirappalli. 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.

3. Whereas the Public Prosecutor had endorsed as subject to proof and relevancy, this petition may be ordered.

4. The records shows that the petitioner have been convicted by the District Munsif-cum-Judicial Magistrate, Kodavasal and against the said sentence and conviction, the petitioner had preferred criminal appeal 40/2026 before this court. Further, the petitioner had paid the total fine of Rs.5,000/- before the District Munsif-cum-Judicial Magistrate, Kodavasal on 16.04.2026 and had enclosed the fine receipt. The Petitioner had been detained in the Central Prison, Thiruchirappalli. There are many arguable points to be decided in the main appeal. Considering the petitioner have good chance of succeeding the appeal. 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 District Munsif-cum-Judicial Magistrate, Kodavasal under section 430(1) of BNSS till the disposal of the appeal with the following conditions.

5. In the result, the petitioner is hereby ordered to be released on bail with a condition that the petitioner shall execute a bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the District Munsif-cum-Judicial Magistrate, Kodavasal. The petitioner shall report and sign before District Munsif-cum-Judicial Magistrate, Kodavasal on the first working day of every month from the date of release until further orders. The sentence and conviction passed by the District Munsif-cum-Judicial Magistrate, Kodavasal in Calendar Case Number 101/2025 shall be suspended till 01.06.2026. Call on 02.06.2026 for reporting as to the compliance.

Pronounced by me, this the 28th day of April 2026.

**Principal Sessions Judge,
Thiruvavarur.**

Copy to (Thorough E-mail) :-

1. The District Munsif-cum-Judicial Magistrate, Kodavasal.
2. The Counsel of the Petitioner / Accused.
3. The Public Prosecutor, Thiruvavarur.