

In the Court of the Principal Sessions Judge, Tiruvarur.

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

Wednesday, this the 17th day of September 2025

M.P. No. 1/2025

in

C.A.No. 39/2025

K.R. Prabu, aged 61/2025

S/o. Late. Ramakrishnan

... Petitioner / Appellant

Vs

1. Vanaja, aged 70/2025

W/o. Chandrasekaran

2. The Public Prosecutor,

Thiruvarur

... Respondents

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This petition came up before this Court for hearing in the presence of Mr. N. Swaminathan, Advocate having represented the petitioner / accused, Notice to 1st Respondent is served and called absent, 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 15.07.2025 in Summary Trial Case Number 3489/2013 of Judicial Magistrate No.I, Mannargudi.

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 Six months and also ordered to pay the cheque amount of Rs.3,00,000/- as compensation to the complainant by the judgment dated 15.07.2025 to pay in one month, in default simple imprisonment for two months in Summary Trial Case Number 3489/2013 by Judicial Magistrate No.I, Mannargudi. The trial court suspended the conviction for until 14.08.2025. 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.

3. Heard. The records shows that the petitioner had been convicted by the Judicial Magistrate No.I, Mannargudi and against the said sentence and conviction, the petitioner had preferred criminal appeal 39/2025 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 14.08.2025 by order in CrI.M.P.No.503/2025 dated 15.07.2025. 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 No.I, Mannargudi 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. 3489/2013 of Judicial Magistrate No.I, Mannargudi 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 No.I, Mannargudi 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 No.I, Mannargudi in Summary Trial Case Number 3489/2013 shall be suspended till 16.10.2025. Call on 17.10.2025 for reporting as to the compliance.

Pronounced by me in Open Court, this the 17th day of September 2025.

**Principal Sessions Judge,
Thiruvarur.**

Copy to (Through E-mail) :-

1. Judicial Magistrate No.I, Mannargudi.
2. The Counsel of the Petitioner / Appellant / Accused.