

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, VILLUPURAM
Present: Tr.S.Rajasimmavarman, B.A., B.L.,(Hons.),
Principal Sessions Judge, Villupuram.(FAC)
Wednesday, the 11th day of February 2026.

MP.No.2/2026 in C.A.11/2026

Shiek Abdullah, S/o. Abbas

... Appellant / Accused.

/VS/

Sarbudeen, S/o. Muhamad Sulaiman

... Respondent/Complainant.

e-petition filed U/S. 430(1) of BNNS, to suspend the sentence passed by the **Judicial Magistrate No.I, Villupuram in S,T.C.No.833/2022, dated 12.05.2025.**

This petition is coming on this day before me for hearing in the presence of Thiru.S.Suresh, Advocate for the Petitioner and Thiru.Ve.R.Karunamurthy, Advocate for the Respondent, and upon perusing both side contentions, this court delivered the following:

ORDER

The petitioner/accused filed this **e-petition** u/s.430(1) of BNSS praying to suspend the sentence passed against the petitioner till the disposal of the appeal. The petitioner has stated in his e-petition that the petitioner was convicted for an offence u/s.138 of N.I. Act and sentenced to undergo S.I for 2 years and to pay compensation of Rs.7,00,000/- to the complainant within two months and in default to undergo S.I. for three months as per the order passed by the Judicial Magistrate No.I, Villupuram in S.T.C.No. 833/2022 dated 12.05.2025. Further the learned counsel for the petitioner submitted that he was remanded to judicial custody on 30.01.2026 now he has preferred appeal before this court and already the petitioner paid the compensation amount of Rs.7,00,000/- on 30.01.2026 and hence the petitioner prayed to suspend the sentence imposed till the disposal of the appeal.

Notice was issued to the respondent. Tr.Ve.R.Karunamurthy, Advocate filed Vakalath for the respondent and filed memo by stating that the petitioner paid the compensation amount of Rs.7,00,000/- and he has no objection in allowing this petition.

Heard petitioner's side arguments. Perused records. Considering the facts and circumstances of the case and the nature of the offence and it is seen that the petitioner has shown prima facie case and hence this court is of the opinion that in order to give one fair opportunity to the appellant/accused to conduct the case, it is just and necessary to suspend the sentence of conviction imposed on the petitioner/appellant/Accused in the interest of justice. Since the Negotiable Instruments Act is compoundable offence and entire amount settled by the appellant to Respondent, this court is

inclined to suspend the sentence with the following conditions that,

1) that the petitioner/accused is ordered to be released on bail on his executing own bond to the satisfaction of the Jail Superintendent concerned for a sum of Rs.10,000/- (Rupees ten thousand only), till the disposal of Criminal appeal.

2) that the petitioner shall appear before the **Additional District and Sessions Court, (FTC), Villupuram on 16.02.2026** without fail.

Accordingly, this petition is allowed.

Pronounced by me in open court this the 11th day of February 2026.

Principal Sessions Judge,
Villupuram. (FAC)