

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, VILLUPURAM
Present: Thiru.A.Manimozhi, B.A., LL.B.,
Principal Sessions Judge, Villupuram.

Thursday, the 19th day of February 2026.

MP.No.2/2026 in C.A.9/2026

Gopal @ Gopalakrishnan, S/o. Parasuraman ... Appellant / Accused.

/VS/

Washington, S/o. Parthasarathy ... Respondent/Complainant.

e-petition filed U/S. 430(1) of BNNS, to suspend the sentence passed by the **Judicial Magistrate No.I, Tindivanam in C.C.No.6/2016, dated 11.09.2025.**

This petition is coming on this day before me for hearing in the presence of Thiru.S.Suresh, Advocate for the Petitioner and Thiru.TM.Sivakumar, 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 two years and to pay a fine of Rs.5,50,000/- within one month and in default to undergo S.I. for six months as per the order passed by the Judicial Magistrate No.I, Tindivanam in C.C.No.6/2016 dated 11.09.2025. Further the learned counsel for the petitioner submitted that now he has preferred appeal before this court and already as per the conditional order passed by the trial court in Recall petition, the petitioner had paid 20% of the compensation amount (Rs.1,10,000/-) on 16.07.2024 and hence the petitioner prayed to suspend the sentence imposed till the disposal of the appeal.

Notice was issued to the respondent. Tr.T.M.Sivakumar, Advocate filed Vakalath for the respondent and filed objection by stating that the appellant may be directed to deposit 20% of the compensation amount.

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. But at the same time this court in order to avoid delay tactics and by invoking Sec.148 of N.I Act, this court is inclined to suspend the

sentence only by directing the petitioner to deposit 20% of the compensation amount before the concerned Judicial Magistrate **within 60 days** from the date of order, failing which the suspension order will stand cancelled automatically with further conditions that,

1) that the petitioner shall execute a bond for Rs.10,000/- with two sureties for like sum each to the satisfaction of Judicial Magistrate No.I, Tindivanam.

2) that the petitioner is directed to deposit 20% of the compensation amount as cash security before the Judicial Magistrate No.I, Tindivanam.

3) that the petitioner shall appear before the **I Additional District and Sessions Court, Tindivanam on 16.03.2026** without fail.

Accordingly, this petition is allowed.

Pronounced by me in open court this the 19th day of February 2026.

Principal Sessions Judge,
Villupuram.