

In the Court of the Vacation Sessions Judge, Theni.

Present: Thiru. P. Ganesan, B.A., B.L., D.L.L.,

Vacation Sessions Judge, Theni,

**Dated this the 15<sup>th</sup> day of May 2024**

**M.P.No : 01 of 2024 -In-**

**C.A.No : 01 of 2024**

(C. C.No.233/2022 on the file of the Judicial Magistrate, Bodinayakanur)

Shanthi

... Petitioner/Appellant/Accused

-Versus-

State through the Inspector of Police,

Bodinayakanur Taluk P. S. in

Cr.No.710/2018

... Respondent/Complainant

This is petition coming on this day before me for hearing in the presence of Thiru. M. Malleeswaran, Advocate for the Petitioner/Appellant/Accused and Learned Counsel for the state, this court passed the following:

**ORDER**

This petition filed by the Petitioner U/s.389(1) Cr.P.C. the petitioner prays to suspend the execution of the sentence to undergo two years simple imprisonment for the offence U/s.324 of IPC and two years simple imprisonment and to pay fine Rs.2,000/- in default further undergo two weeks simple imprisonment for the offence U/s.452 of IPC passed by the Learned Judicial Magistrate, Bodinayakanur against the Petitioner/Appellant/Accused on 12.04.2024 in C.C.No.233/2022 and enlarged her on bail till the disposal of the appeal.

Aggrieved over the judgment and sentence made by the trial court, the petitioner/accused/appellant had preferred an appeal before this court and taken on file in C.A.No.01/2024.

Now the petitioner has filed this petition to suspend the sentence till the disposal of the criminal appeal.

..2..

The points for determination is that can the sentence be suspended till the disposal of Criminal Appeal.

**Answer :-**

The Judgment of the Trial Court and records are perused. As submitted by the Learned Counsel for the petitioner, there are arguable points in the Criminal Appeal. Considering the same the petition is allowed and the sentence of imprisonment alone is suspended till the disposal of pending appeal, on condition that the petitioner is enlarged on bail on executing a bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Learned Judicial Magistrate, Bodinayakanur.

Pronounced by me in open Court on this the 15<sup>th</sup> day of May 2024.

**Vacation Sessions Judge,  
Theni.**

**Copy to**

1. The Judicial Magistrate, Bodinayakanur.
2. The Public Prosecutor, Theni.
3. The Petitioner's through her Counsel.
4. The Inspector of Police, Bodinayakanur Taluk.