

**Order on IA No.1/2024 U/Sec.389(3) of
Cr.PC**

The Appellant has filed the above application seeking suspension and execution of the sentence passed by the X Addl. CJM, Bengaluru, in C.C.No.53958/2015 dtd. 24.10.2024.

On perusal of the Appeal Memo and also the impugned judgment of conviction passed by the Trial Court, the Trial Court has convicted the Accused/Appellant for the offence punishable U/Sec.499 and 500 of IPC and sentenced to pay fine of Rs.5,000/- for the offence punishable under Section 499 & 500 of IPC, in default he shall undergo simple imprisonment for one month. Now the Appellant has raised several grounds in the above Appeal Memo, which requires consideration by this court. Therefore at this stage, the Appellant has made out prima-facie case to consider the interim

application filed by the Appellant. Hence, in the interest of justice and equity, it is necessary to suspend the execution and operation of the judgment of conviction passed by the Trial Court, pending final disposal of the above appeal. Accordingly, I proceed to pass the following:

ORDER

Acting U/Sec.389(3) of Cr.P.C the execution and operation of the Judgment passed by the X Addl. CJM, Bengaluru, in C.C.No.53958/2015 dtd. 24.10.2024 is hereby stayed, subject to deposit the fine amount of Rs.5,000/- before the Trial Court, within 8 weeks from today, if he is not already deposited.

The Appellant shall execute personal bond for a sum of Rs.2,500/- and surety for the like sum, to the satisfaction of the Trial Court, within 4 weeks.

Issue notice of appeal memo and Notice on IA No.1/2024 and the Notice on Interim Order to the Respondent through court and RPAD, if PF is paid by the Appellant returnable by 23.12.2024.

[Sri. Balappa Appanna Jaragu]

XXVIII Addl.City Civil & Sessions Judge, (CCH-29)
Bengaluru.

C/c LXXII Addl.City Civil & Sessions Judge, (CCH-73)
Bengaluru.

