



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-07-2026

CORAM

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 20041 of 2026

Sathishkumar
S/o. Pitchaikkani,
Kumarapuram, Andipatti,
Theni-625 512.

..Petitioner(s)

Vs

1. The State Rep. by,
The Superintendent of Prison,
Central Prison, Madurai-625 016.
2. The Inspector of Police
B2, R.S.Puram Police Station,
Coimbatore-641 002.
Crime No.275 of 2018.
3. The Inspector of Police
Andipatti Police Station,
Theni-625 512.
Crime No.538 of 2012.

..Respondent(s)

PRAYER

Criminal Original Petition filed under Sec.482 of Cr.P.C./under Sec.528 of B.N.S.S. 2023, praying to direct the sentence imposed on the Petitioner in CC.No.30 of 2019 on the file of the Learned Special Court under the EC Act/NDPS Act,Coimbatore dated 20.11.2019 which was confirmed in appeals, and the sentence imposed on the Petitioner in CC.No.72 of 2013 on the file of the II-Additional Special Court for NDPS Act Cases,Madurai dt.20.10.2022 to run concurrently.



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For Petitioner(s):

Mr.S.Mohamed Sahith Ali

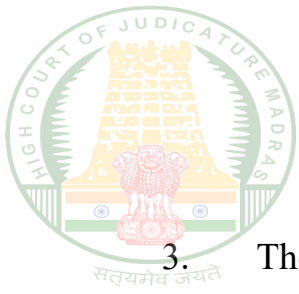
For Respondent(s):

Mr.M.Mohamed Riyaz
Government Advocate (Criminal Side)
for R1 to R3

ORDER

1. The prayer in this Criminal Original Petition is to direct that the sentence imposed on the petitioner in C.C.No.30 of 2019 on the file of the learned Special Court under the EC Act/NDPS Act, Coimbatore dated 20.11.2019 which was confirmed in appeals, and the sentence imposed on the Petitioner in CC.No.72 of 2013 on the file of the II-Additional Special Court for NDPS Act Cases, Madurai dated 20.10.2022 to run concurrently.

2. I have heard the learned counsel appearing on behalf of the petitioner and the learned Government Advocate (Criminal Side). The petitioner is involved in two cases. Earlier by a judgment dated 20.11.2019 made in CC No.30 of 2019, the petitioner was found guilty of the offences under Section 8(c) read with 21(C) of NDPS Act and was sentenced to undergo rigorous imprisonment for 10 years and to pay a sum of Rs.1,00,000/- and the default sentence is also granted. While so, again the petitioner was convicted in CC No. 72 of 2013 by a judgement dated 20.10.2022 for the offence under Section 8(c) read with 20 (b)(ii)(B) of NDPS Act and sentenced to undergo rigorous imprisonment for 3 years and to pay a fine of Rs.30,000/-. Now, the prayer is made to order that the sentence in both cases to run concurrently.



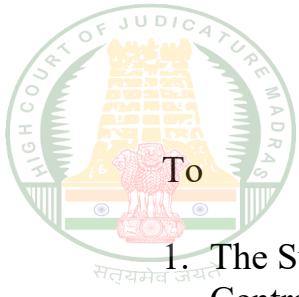
3. The learned counsel for the petitioner would rely upon Sec.427 Cr.P.C. to submit that unless the Court otherwise directs, the second sentence will not be deemed to run concurrently. Therefore, he prayed for an order from this Court. The learned counsel would submit that in the past, considering the background of the accused and the nature of imprisonment, this Court has exercised the power under Section 482 of the Code of Criminal Procedure to order that the sentence to run concurrently.

4. Considering the legal position that even in the absence of express mentioning in the later judgment, in appropriate cases, this Court in exercise of power under Section 482 of Cr.P.C. can order that the sentence to run concurrently and considering the nature of offences and the judgments, I am of the view that this is a fit case where it can be said that except for the default sentence if any, the substantial sentence can be treated to run concurrently. This Criminal Original Petition accordingly stands disposed of.

27-07-2026

Neutral Citation: Yes/No

RPP



To

1. The Superintendent of Prison,
Central Prison, Madurai-625 016.

2. The Inspector of Police
B2, R.S.Puram Police Station,
Coimbatore-641 002.

3. The Inspector of Police
Andipatti Police Station,
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D.BHARATHA CHAKRAVARTHY J.

RPP

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