

CrIMP(MD)No.7560 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**CrIMP(MD)No.7560 of 2026
in
CrIA(MD)No.95 of 2024**

G.Sujeesh

...Petitioner

Vs

The State Represented by
the Inspector of Police,
Cumbum North Police Station,
Cumbum,
Theni District.
[Crime No.712 of 2021]

... Respondent

PRAYER: Petition filed under Section 430(1) of BNSS, to suspend the sentence imposed by the Principal Special Judge for EC and NDPS Act Cases, Madurai passed in CC.No.309 of 2022 dated 21.11.2021 and enlarge the petitioner on bail pending disposal of the criminal appeal.

For Petitioner : Mr.Na.Manimaran

For Respondent : Mr.V.Sathurthi Raja

Government Advocate (Crl Side)



CrlMP(MD)No.7560 of 2026

ORDER

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The petitioner is accused No.3 in C.C.No.309 of 2022 on the file of the Principal Special Judge for EC and NDPS Act Cases, Madurai. He was tried along with two others and by judgment dated 21.11.2021, the petitioner was found guilty for the offence under Section 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of NDPS Act and convicted and sentenced to undergo rigorous imprisonment for 10 years and to pay a fine of Rs1,00,000/-, in default, to undergo simple imprisonment for a period of six months. Challenging the judgment of conviction and sentence, the petitioner has filed an appeal in Crl.A.(MD)No.95 of 2024 and the same was admitted by this Court on 06.02.2024. This is the second petition filed by the petitioner seeking to suspend the sentence imposed by the trial Court pending the appeal. The earlier petition filed by the petitioner in CrlMP(MD)No.2911 of 2024 was dismissed by this court by order dated 04.04.2025.

2.The learned counsel for the petitioner submits that the A1 and A2, who are similarly placed as that of the petitioner, have been enlarged on bail by suspending the sentence by this Court. The learned counsel for



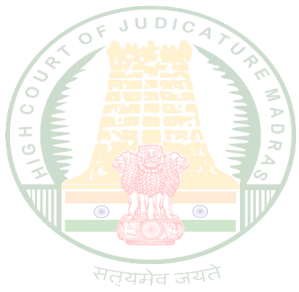
CrIMP(MD)No.7560 of 2026

the petitioner has relied on the orders of this court dated 30.03.2026 in CrIMP(MD)No.17318 of 2025 in CrIA(MD)No.1225 of 2025. He further submits that the petitioner is in jail for more than 4 years and 8 months. Therefore, the learned counsel seeks bail.

3.The learned Government Advocate appearing for the respondent opposed the grant of bail that this petitioner is a resident of Kerala. Apart from this case the petitioner has involved in 3 other cases in Kerala for the offence under Section 394 IPC and the trial in those three cases are pending. If he is released on bail, he may not be available.

4.In reply, the learned counsel for the petitioner submits that this court has taken into account that the co-accused are residents of Kerala and enlarged them on bail and therefore, the petitioner may be considered for bail. He further submits that the petitioner undertakes that he will be available during the appeal and also to produce the sureties from the government servant of this state.

5.This court has considered the rival submissions made.

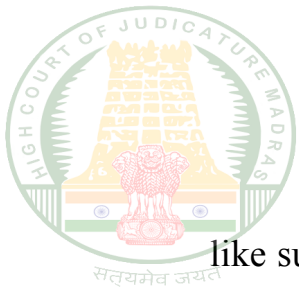


CrlMP(MD)No.7560 of 2026

6.The petitioner is a resident of Kerala and he was arrested along with other accused and he was in possession of 22 kgs of ganja and he was convicted as stated supra. Since the petitioner is a resident of Kerala, this court was not inclined to grant bail to the petitioner. Therefore, the earlier petition filed by this petitioner was dismissed as withdrawn. This petitioner has been convicted for a period of 10 years and he has completed 4 years and 8 months. Though the earlier petition was dismissed by this court, the appeal could not be taken up for final hearing. Considering the period of incarceration, release of co-accused on bail, the appeal could not be taken up immediately for hearing, and also the undertaking given by the petitioner that he would be available during the appeal proceedings and also would appear before the trial court in Kerala, this court is inclined to inclined to allow this petition.

6.Accordingly this petition is allowed and the substantive sentence of imprisonment imposed on the petitioner alone is suspended pending disposal of the criminal appeal on the following conditions:

(i) The petitioner is ordered to be enlarged on bail on executing a bond for Rs.2,00,000/- (Rupees One Lakh) with two sureties each for a



CrlMP(MD)No.7560 of 2026

like sum to the satisfaction of the learned Principal Special Judge for EC and NDPS Act Cases, Madurai and the sureties must be government servants of Tamil Nadu.

(ii) The petitioner and the sureties shall file an affidavit before the respondent police that the petitioner will not misuse this liberty and will not indulge in any further offence. He will be available during this appeal proceedings.

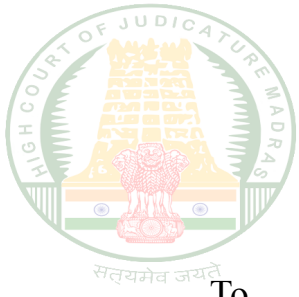
(iii) The petitioner shall report before the respondent police daily at 10.30 am and report before the trial court on the first working day of every month, except on the date of hearing of the trial in the cases pending in Kerala.

(iv) If the petitioner changes his residence, the same shall be informed to the respondent police immediately with correct address.

(v) If the petitioner violates any of the conditions, the respondent police shall move an application to cancel the order of suspension of sentence of imprisonment.

15.07.2026

DSK



CrlMP(MD)No.7560 of 2026

To
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- 1.The Principal Special Judge
for EC and NDPS Act Cases, Madurai.
- 2.The Inspector of Police,
Cumbum North Police Station,
Cumbum,
Theni District.
- 3.The Superintendent,
Central Prison,
Madurai.

Copy to

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrIMP(MD)No.7560 of 2026

B.PUGALENDHI.J.,

DSK

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