



CRL MP(MD) NO. 15264 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2026

CORAM

THE HONOURABLE MR.JUSTICE S.KARTHIKEYAN

CRL MP(MD) NO. 15264 of 2026

in

CRL A(MD)No.874 of 2025

P.Chandran

Petitioner(s)

Vs

State of Tamil Nadu Rep. By,
The Inspector of Police,
Varusanadu Police Station,
Theni District.
Crime No.81/2022

Respondent(s)

For Petitioner(s):

Mr.P.Thanga Prithvi Rajan

For Respondent(s):

Mr.A.Robinson

Government Advocate (Crl. Side)

Prayer:

To suspend the sentence imposed by the I Additional Special Court for NDPS Act Cases, Madurai passed in C.C.No.910 of 2022 dated 25.11.2024 and enlarge the petitioner on bail pending disposal of the criminal appeal.



ORDER

The petitioner/A3 has come up with the present application seeking to suspend the sentence imposed on the petitioner by the I Additional Special Court for NDPS Act Cases, Madurai in C.C.No.910 of 2022 dated 25.11.2024 and grant bail.

2. The petitioner/appellant was tried for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 29(1) and 8(b) r/w 20(a)(i) of NDPS Act. The Trial Court, after trial, found the petitioner guilty of the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act and found him not guilty of the offences punishable under Sections 8(b) r/w 20(a)(i) and 29(1) of NDPS Act. The petitioner was convicted and sentenced to undergo five years rigorous imprisonment and to pay a fine of Rs.25,000/-, in default, to undergo one year simple imprisonment for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act. The petitioner is in custody since the date of judgment of the Trial Court, i.e., on 25.11.2024. The petitioner has preferred the present appeal and sought for suspension of sentence and bail.

3. The learned counsel for the petitioner/appellant submitted that the petitioner along with other Accused were found in possession of 17 Kgs of Ganja, which is an intermediate quantity. Though the petitioner/appellant was charged for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 29(1) and 8(b) r/w 20(a)(i) of NDPS Act, the Trial Court has found the petitioner not guilty of the



offences punishable under Sections 8(b) r/w 20(a)(i) and 29(1) of NDPS Act.

Therefore, there is a cloud in the case of the prosecution. He would further submit that even as per the case of the prosecution, the contraband was recovered from A1 and not from this petitioner/A3 and he has no bad antecedents. The petitioner is in custody from 25.11.2024. Hence, he prays for suspension of sentence and bail to the petitioner/appellant.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the petitioner and other Accused were not only found in possession of ganja, but also found to be involved in cultivation of ganja in the deep forest. Hence, he strongly opposed to grant suspension of sentence and bail to the petitioner/appellant.

5. This Court has given its thoughtful consideration to the rival submissions put forth on either side.

6. On perusal of records, it is found that the petitioner is said to be possessed with 17 Kgs of ganja and was convicted for the said offence. The Trial Court has handed out the sentence of five years rigorous imprisonment with a fine of Rs.25,000/-, in default, to undergo one year simple imprisonment. The petitioner is in custody since 25.11.2024. On careful perusal of records, it is found that the contraband was not recovered from the petitioner herein/A3. Even as per the case of the prosecution, when the contraband was recovered from A1, the petitioner/A3 was present in the scene of crime. Except that, there is no other



specific overt act alleged as against the petitioner herein. The petitioner has no other bad antecedents of similar nature. Considering all the above circumstances, this Court is satisfied that there are materials to show that the petitioner has not committed the crime alleged and he would not commit similar offences in future. Therefore, this Court is inclined to suspend the sentence imposed by the Trial Court and grant bail to the petitioner/appellant.

8. Accordingly, this Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the Criminal Appeal and the petitioner is ordered to be enlarged on bail on the following conditions:-

i. The petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the I Additional Special Court for NDPS Act Cases, Madurai;

ii. The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

iii. The petitioner shall appear before the Trial Court, daily at 10.30 a.m., until further orders.

iv. The petitioner shall file an affidavit before the respondent Police that he will not commit any offence of similar nature.



On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

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17.08.2026
(S.K.,J.)

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To

1.The I Additional Special Court for NDPS Act Cases,
Madurai.

2.The Inspector of Police,
Varusanadu Police Station,
Theni District.

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

4.The Central Prison,
Madurai.



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S.KARTHIKEYAN, J.

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CrI.M.P.(MD).No.15264 of 2026
in
CrI.A.(MD).No.874 of 2025

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