

Crl.MP(MD)No.11037 of 2026
in Crl.A(MD)No.968 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **29.07.2026**

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

Crl.MP(MD)No.11037 of 2026

in Crl.A(MD)No.968 of 2025

Arikrishnan

... Petitioner /A1

versus

The State of Tamil Nadu,
by the Inspector of Police,
Kurinjipadi Police Station,
Cuddalore District
[Crime No.184 of 2023]

... Respondent

Petition filed under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence passed in CC.No.71 of 2024 dated 09.04.2025 on the file of the Additional District Judge / Presiding Officer, Special Court under Essential Commodities Act, Thanjavur pending disposal of the above criminal appeal.

For Petitioners : Mr.M.Karunakaran

For Respondent : Mrs.S.Moushica,
Government Advocate



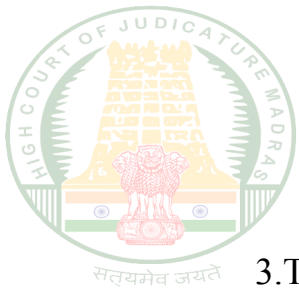
*Crl.MP(MD)No.11037 of 2026
in Crl.A(MD)No.968 of 2025*

WEB COPY

ORDER

The petitioner is accused No.3 in C.C.No.71 of 2024 on the file of the Additional District Judge / Presiding Officer, Special Court under Essential Commodities Act, Thanjavur. By judgment dated 09.04.2025, the petitioner was found guilty, convicted and sentenced to undergo five years rigorous imprisonment with a fine of Rs.20,000/- and in default to undergo six months simple imprisonment for the offence under Sections 8(c) r/w 20(b)(ii) (B) of the NDPS Act. Challenging the judgment of conviction and sentence, the petitioner has filed an appeal before this Court in Crl.A(MD)No.968 of 2025 and the same was admitted by this Court on 09.05.2025. Along with the appeal, the petitioner has filed this petition to suspend the sentence imposed by the trial Court.

2.The learned counsel appearing for the petitioner submits that the petitioner has been implicated through the confession statement of the co-accused and there is no recovery from this petitioner. The quantity of ganja involved in this case is 11 kg. The petitioner is in jail for the past 1 year and two months. Therefore, the learned counsel seeks bail to the petitioner.



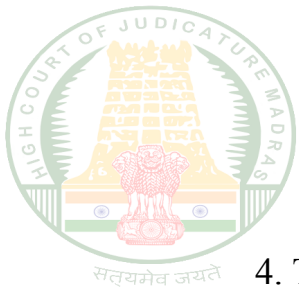
Crl.MP(MD)No.11037 of 2026

in Crl.A(MD)No.968 of 2025

WEB COPY

3.The learned Government Advocate appearing for the respondent opposes bail to the petitioner that the petitioner is a history sheeted rowdy and he is involved in several other cases. The petitioner has provided money to the main accused A1 and the bank transaction between the petitioner and A1 has been marked as Ex.P.18. He has also furnished the details of the antecedent of the petitioner, which reads as follows:

Sl. No	Name of the Police Station	Crime Nos.	offences
1	Cuddalore NT PS	16 of 2025	Section 4 of the TNPHW, 131, 296(b), 324(4), 351(3) of BNS- NTF
2	Kurinjipadi PS	184 of 2023	Section 20(b)(ii)(B), 8(c) of NDPS Act @ 8(C) of NDPS Act - PT
3	Kurinjipadi PS	47 of 2021	Section 120(B), 294(b), 302, 323, 324, 34, 341 of IPC – NT
4	Thirupapuliyur PS	495 of 2024	Section 310(4) of BNS - NTF
5	Kurinjipadi PS	287 of 2023	20(b)(ii)(B), 8(c) of NDPS Act @ 8(c) of NDPS Act – Acquitted
6	Vadalur PS	98 of 2018	294(b), 341, 352, 506(1) IPC - NTF
7	Kurinjipadi PS	72 of 2025	296(b), 118(1), 351(3) of BNS - UI



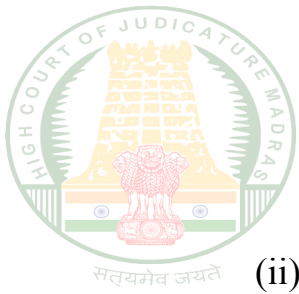
*Crl.MP(MD)No.11037 of 2026
in Crl.A(MD)No.968 of 2025*

WEB COPY

4. This Court considered the rival submissions made.

5.The petitioner has been prosecuted on the charge that he has funded accused No.1 to procure ganja and recovery was made from the accused No.1. The Criminal Appeal filed by the petitioner was also admitted by this Court. However, the appeal could not be taken up immediately for final hearing. The petitioner is in jail for 1 year and 4 four months. Considering the period of incarceration, A1/ co-accused from whom recovery was made has been granted bail and also considering the fact that the appeal could not be taken up for final disposal for want of time, this Court is inclined to allow this petition, however with stringent conditions due to his involvement in other cases.

6.Accordingly, 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 executing a bond for Rs.2,00,000/- (Rupees two lakh only) with two sureties each for a like sum to the satisfaction of the learned Additional District Judge / Presiding Officer, Special Court under Essential Commodities Act, Thanjavur. The sureties must be government servants.



*Crl.MP(MD)No.11037 of 2026
in Crl.A(MD)No.968 of 2025*

WEB COPY

(ii) The petitioner and the sureties shall file an affidavit before the respondent police that the petitioner will not misuse this liberty, will not indulge in any further offence, pending the appeal and he shall also be available for the trial in the other case.

(iii) The petitioner shall report before the respondent police daily at 10.30am.

(iv) If the petitioner changes his residence, it shall be informed to the respondent police immediately.

(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.

29.07.2026

DSK

To

1. The Additional District Judge,
/ Presiding Officer,
Special Court under Essential Commodities Act,
Thanjavur.



CrI.MP(MD)No.11037 of 2026
in CrI.A(MD)No.968 of 2025

WEB COPY

2.The Inspector of Police,
Kurinjipadi Police Station,
Cuddalore District

3.The Superintendent,
Central Prison, Cuddalore.

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



WEB COPY



*Crl.MP(MD)No.11037 of 2026
in Crl.A(MD)No.968 of 2025*

B.PUGALENDHI, J.

DSK

**Crl.MP(MD)No.11037 of 2026
in
Crl.A(MD)No.968 of 2025**

29.07.2026