



CRL MP(MD) NO. 14986 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.08.2026**

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THE HONOURABLE MR.JUSTICE S.KARTHIKEYAN

CRL MP(MD) No.16357 of 2026

in

CRL A(MD)No.952 of 2026

G.Suresh

...Petitioner/Appellant/Accused No.2

Vs

State of Tamilnadu represented by

Inspector of Police,

Dindigul Town P.S.,

Dindigul District.

Crime No.163 of 2023.

....Respondent/Complainant

For Petitioner(s):

Mr.R.Thamarai Selvan

For Respondent(s):

Mr.A.Robinson

Government Advocate (Crl. Side)

Prayer:

To suspend the sentence imposed upon the petitioner by judgment dated 14.11.2024 in C.C.No.20 of 2024 on the file of the I Additional Special Court for EC and NDPS Act Cases, Madurai, pending disposal of the above Criminal Appeal.

ORDER

The petitioner has come up with the present application seeking to suspend the sentence imposed on the petitioner by the I Additional Special Court for EC and NDPS Act Cases, Madurai in C.C.No.20 of 2024, dated 14.11.2024.



2. The petitioner/appellant was tried by the Trial Court for the offences punishable under Sections 8(c) r/w 20(b) (ii) (C), 25 and 29(1) of NDPS Act. The petitioner was convicted by the Trial Court for the offences punishable under Sections 8(c) r/w 20(b) (ii) (C), 25 and 29(1) of NDPS Act and sentenced as follows:

(i) to undergo twelve years rigorous imprisonment and to pay a fine of Rs.1,00,000/-, in default, to undergo two years simple imprisonment for the offences punishable under Sections 8(c) r/w 20(b) (ii) (C), 25 and 29(1) of NDPS Act;

The petitioner was taken into custody on 24.07.2023 and he is in incarceration since then. The petitioner has preferred the present appeal and sought for suspension of sentence and bail.

3. The learned counsel for the petitioner submitted that in this case other co-Accused were granted bail by this Court, except this petitioner. According to the petitioner, this petitioner is also similarly placed person as that of the other co-accused.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that there are enough materials available on record against the petitioner and hence, he strongly opposed to grant suspension of sentence.



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5. This Court considered the rival submissions made and also perused the materials placed on record.

6. This Court, on considering the facts that, the Accused were arrested for transporting Ganja in a car bearing registration No.TN-57-AM-4462, that the Ganja has been recovered from the car and that the co-Accused were in custody for about 3 years in incarceration granted bail to the co-accused on certain stringent conditions. From the submissions of the learned counsel for the petitioner and the learned Government Advocate, it is found that this petitioner is also similarly placed as that of the other co-Accused. Further, the petitioner has made out certain arguable points in this appeal, this Court is inclined to suspend the sentence imposed on the petitioner on certain conditions.

7. 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.1,00,000/- (Rupees One Lakh 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 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 orders.

iii. The petitioner shall report before the respondent police daily at 10.30 a.m., till the disposal of the appeal.

iv. If the petitioner change 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.

13.08.2026
(S.K.,J.)

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To

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

2.The Inspector of Police,
Dindigul Town P.S.,
Dindigul District.

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



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S.KARTHIKEYAN, J.

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