

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Criminal Appeal No.310 of 2015

and M.P.No.1 of 2015

K.Kumar

... Appellant/Accused
NO.2

vs.

The Intelligence Officer,
Narcotics Control Bureau,
South Zonal Unit, Chennai-90,
Camp at Coimbatore.

... Respondent/Complainant

Criminal appeal has been filed under section 374(ii) of CRPC against the judgment of the learned Additional District Judge / Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore made in C.C.No.13 of 2009 dated 23.2.2015.

For Appellant : No appearance.

For Respondent : Mr.N.P.Kumar,
Spl. Public Prosecutor,
for NDPS Cases.

JUDGMENT

The second accused in C.C.No.13 of 2009 on the file of the learned Additional District Judge / Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore, is the Appellant herein. By the judgment dated 23.2.2015, the Appellant / A.2 was convicted for the offence under Section 8(c) read with Section 20(B) of the NDPS Act, 1985 and NDPS (Amended) Act and sentenced to undergo rigorous imprisonment for seven years and imposed fine of Rs.5,000/-, in default to undergo rigorous imprisonment for two months and also convicted for the offence under Section 8(c) read with 29 of the NDPS Act, 1985 and NDPS (Amended) Act and sentenced to undergo rigorous

imprisonment for seven years and imposed fine of Rs.5,000/-, in default to undergo rigorous imprisonment for two months. Aggrieved over the said conviction and sentence, the appellant / A.2 has come up with the present appeal.

2. Today, when the matter was taken up for consideration, learned Special Public Prosecutor for NDPS Cases submitted that the appellant / A.2 had already undergone the entire period of sentence imposed on him and he was released from the prison on 16.2.2016 on expiry of sentence.

3. In view of the said submission made by the learned Special Public Prosecutor for NDPS Cases, I am of the opinion, nothing survives in this appeal for adjudication and the appeal has become infructuous. Hence, the criminal appeal is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sbi

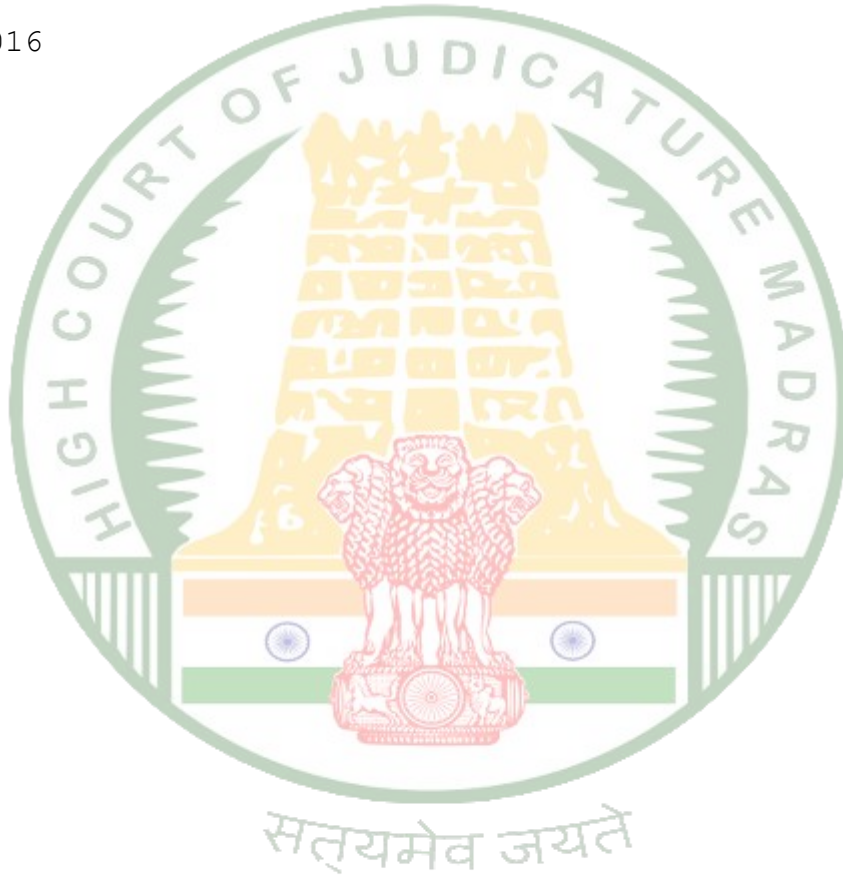
To

- 1.The Additional District Judge /
Presiding Officer,
Special Court for Essential
Commodities Act Cases,
Coimbatore
- 2.The Intelligence Officer,
Narcotics Control Bureau,
South Zonal Unit, Chennai-90,
Camp at Coimbatore.
- 3.The Superintendent Central Prison Coimbatore
- 4.The Public Prosecutor,
High Court, Madras.

5. The Special Prosecutor for NDPC Cases
High Court Madras

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