

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Criminal Appeal No.379 of 2015
and M.P.No.1 of 2015

Mohamed @ Zafrulla @ Zafrulla ... Appellant/Accused

vs.

Intelligence Officer,
Narcotic Control Bureau,
South Zone Unit,
Chennai.

.... Respondent/Complainant

Criminal appeal has been filed as against the judgment of the learned I Additional Special Judge for EC and NDPS Cases, Chennai-104 passed in C.C.No.36 of 2006 dated 24.3.2015.

For Appellant : Mr.A.Ganesh

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

सत्यमेव जयते

WEB COPY

JUDGMENT

Accused No.1 in C.C.No.36 of 2006 on the file of the learned I Additional Special Judge for NDPS Cases, Chennai-104, is the Appellant. By the judgment dated 24.3.2015, the Appellant / Accused No.1 was convicted for the offence punishable under Sections 8(c) read with 21(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and sentenced to undergo ten years rigorous imprisonment each and imposed a fine of Rs.1,00,000/- each, in default, to undergo two months rigorous imprisonment each. Aggrieved over the said conviction and sentence, the appellant / A.1 has come up with the present appeal.

2. Today, when the matter was taken up for consideration, learned counsel appearing for the appellant / A.1 submitted that the appellant had already undergone the rigorous imprisonment of ten years imposed by the trial Court and since he did not pay the fine amount of Rs.2,00,000/-, he had also undergone the default period of two months rigorous imprisonment.

3. I have heard the learned Special Public Prosecutor for NCB Cases, appearing for the respondent also.

4. In view of the said submission made by the learned counsel appearing for the appellant, 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.

Sd/-

Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

sbi

To

1.The I Additional Special Judge
for NDPS Cases, Chennai-104.

WEB COPY

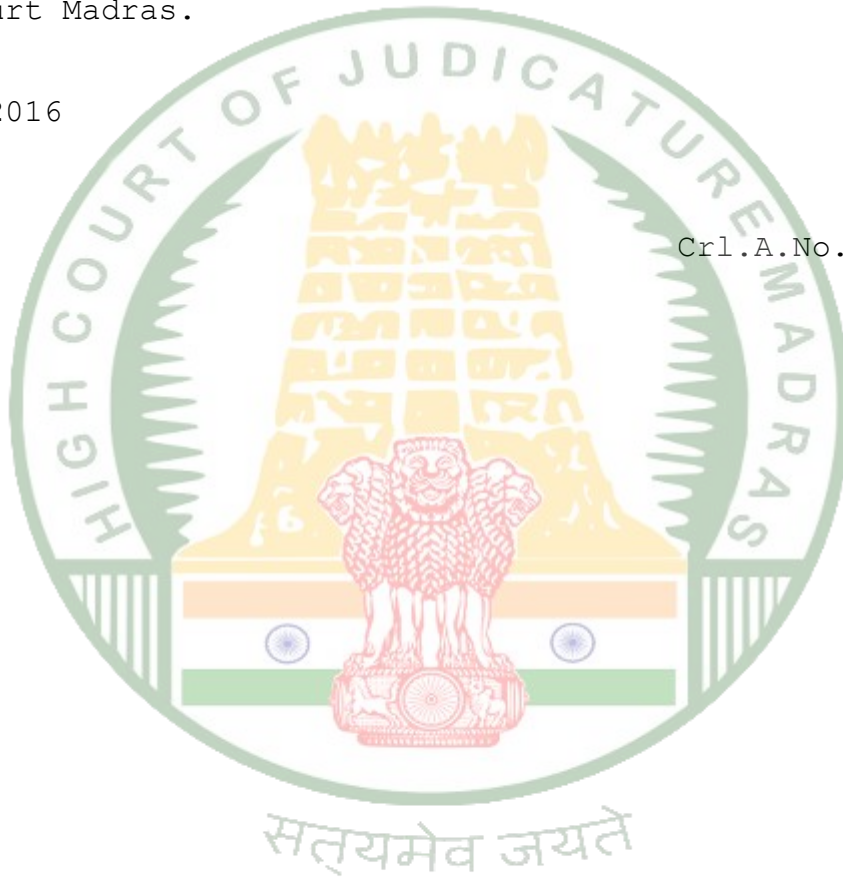
2.The Intelligence Officer,
Narcotic Control Bureau,
South Zone Unit,
Chennai.

3.The Public Prosecutor,
High Court, Madras.

4.spl public prosecutor, (Ncbcases)
High court Madras.

UG(CO)
CP 23/07/2016

Crl.A.No.379 of 2015



WEB COPY