



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Thirty First day of January Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL MP(MD) No.876 of 2017
IN
CRL A(MD) No.29 of 2017

ANUSHAN,

... PETITIONER/APPELANT/ACCUSED NO 3

Vs

State Rebp.by
THE INSPECTOR OF POLICE,
K.PUDHUR (LAW & ORDER) POLICE STATION,
MADURAI. (CR.NO.544/2013) .. RESPONDENT/RESPONDENT/COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence imposed on the petitioner on the file of the Learned II Additional Special Court, EC and NDPS Act Cases, Madurai by its Judgement in C.C.No.269 of 2013 dated 18.01.2017 and enlarge him on bail pending disposal of the Crl.Appeal.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.R.MANICKARAJ, Advocate for the petitioner and of S.PRABHA, The Government Advocate(Crl.Side) on behalf of the Respondents the court made the following order:-

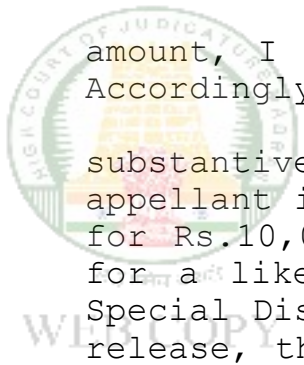
Mrs.S.Prabha, learned Government Advocate (crl. Side) takes notice for the respondent police.

2.This petition has been filed to suspend the sentence imposed by the learned II Additional Special District Judge for N.D.P.S. Act Cases, Madurai in C.C.No.269 of 2013, dated 18.01.2017, wherein the appellant/A3 was found guilty under Sections 8(c) r/w.20(B) (ii) (b) of Narcotic Drugs and Psychotropic Substances Act and convicted and sentenced him to under go R.I. For 15 months and to pay a fine of Rs.,10,000/- in default to undergo S.I. for three months.

3. The learned counsel for the petitioner submitted that the petitioner is not involved in the offence and therefore, the sentence may be suspended.

4.Heard learned Government Advocate (Criminal side).

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner has already paid the fine



amount, I am of the view that the appellant is entitled for bail. Accordingly, the petition stands allowed and the

substantive sentence of imprisonment alone is suspended and the appellant is directed to be released on bail on his executing a bond for Rs.10,000/- (Rupees Ten Thousand Only), with two sureties each for a like sum to the satisfaction of the learned II Additional Special District Judge for N.D.P.S. Act Cases, Madurai, and on such release, the appellant shall report before the said Court once in a week on every Tuesday at 10.00 a.m., till the disposal of the appeal.

sd/-
31/01/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.II ADDITIONAL SPECIAL DISTRICT JUDGE FOR N.D.P.S ACT CASES,
MADURAI.

2.THE INSPECTOR OF POLICE,
K.PUDHUR (LAW & ORDER) POLICE STATION,
MADURAI.

3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURAT,MADURAI

4.THE SUPERINTENDENT,
CENTRAL PRISON,MADURAI

+1. C.C. to M/S.R.MANICKARAJ Advocate SR.No.2585
RJ2
MS PM AN SAR3/1.2.2017/2P.6C

ORDER
IN
CRL MP (MD) No.876 of 2017
IN
CRL A (MD) No.29 of 2017
Date :31/01/2017