

**Bail Slip**

Mr.Muthuthevar, S/o.Maya Thevar. Aged about 56 years was released on bail vide order dated 22/09/2010 in MP(MD)No. 1 of 2010 in CrI A. (MD)NO.232 of 2010.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED: 17.07.2019****CORAM:****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****CrI. A. (MD)No.232 of 2010**

Muthuthevar

.. Appellant/Sole Accused

Vs.

State rep. by,
The Inspector of Police,
NIB-CID,
Dindigul District.
(Crime No.96 of 2005)

.. Respondent/Complainant

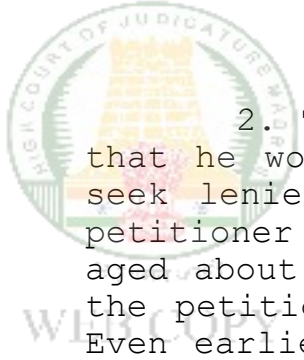
Prayer : This Criminal Appeal is filed under Section 374 of Cr.P.C., against the Judgment and Conviction passed by the learned Additional Special District Court(For N.D.P.S. Act Cases), Madurai, in C.C.No.587 of 2007, dated 07.07.2010, convicting the appellant for the alleged offence under Section 8(C) r/w 20(b)(ii)(B) of N.D.P.S. Act and sentenced him to undergo 5 years Rigorous Imprisonment and to pay a fine of Rs.5,000/-, in default of payment of fine to undergo 3 months Simple Imprisonment.

For Appellant : Mr.Jagadeesh Pandian,
for Mr.S.Velpandian.

For Respondent : Mr.A.Robinson,
Government Advocate(CrI. Side).

JUDGMENT

The appellant was convicted for the offence under Sections 8 (c) r/w 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act and sentenced to undergo four years Rigorous Imprisonment and pay a fine of Rs.5,000/- vide Judgment dated 07.07.2010 in S.C.No.587 of 2007 on the file of the learned District and Sessions Judge, Additional Special District Court(For N.D.P.S. Act Cases), Madurai. Questioning the same, this Criminal Appeal has been filed.



2. The learned counsel appearing for the appellant submitted that he would not challenge the conviction and that he would only seek leniency in the matter of punishment. It is true that the petitioner was in prison for about 32 days. The petitioner is now aged about 69 years. This Court confirmed from the respondent that the petitioner has not come under adverse notice after this case. Even earlier he was not having any bad antecedents. The petitioner is now said to be eking out his livelihood by doing agriculture.

3. Taking note of these mitigating aspects, even while confirming the conviction imposed on the appellant, the sentence of imprisonment is modified and reduced to the period already undergone.

4. The Criminal Appeal stands partly allowed, accordingly.
No costs.

Sd/-

Assistant Registrar (A.S)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Additional Special District Judge
(For N.D.P.S. Act Cases), Madurai.
2. The Inspector of Police,
NIB-CID, Dindigul District.
3. The Superintendent, Central Prison, Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
5. The Section Officer,
Criminal Section(Records),
Madurai Bench of Madras High Court,
Madurai.

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17.07.2019

CS(12.09.2019) 2P 7C