



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 09.10.2020

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WEB COPY

THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. A.(MD)No.171 of 2018
and
Crl.M.P.(MD)No.4568 of 2020

Mahmood Zaffrany

.. Appellant/Accused No.2

Vs.

State by:
The Intelligence Officer,
Narcotics Control Bureau,
Madurai Sub Zone,
Madurai.
(F.No.48/1/01/2013 - NCB/MDU)

.. Respondent/Complainant

Prayer : This Criminal Appeal is filed under Section 374(2) of Cr.P.C., r/w. Section 36-B of NDPS ACT, 1985, to set aside the conviction of the appellant in C.C.No.44 of 2013 dated 09.03.2018 by the learned Additional District and Sessions Judge/Presiding Officer, Special Court for E.C. And NDPS Act Cases, Pudukkottai.

For Appellant	: Mr.M.S.Charles
For Respondent	: Mr.C.Arulvadivel @ Sekar Special Public Prosecutor

JUDGMENT

This appeal has been filed to set aside the judgment in C.C.No.44 of 2013, dated 09.03.2018, on the file of the learned Additional District and Sessions Judge/Presiding Officer, Special Court for E.C. And NDPS Act Cases, Pudukkottai.

2.On the side of the appellant, it is stated that the appellant being an Iranian, wants to withdraw the appeal, since there is an opportunity for him to go back to Iran.

3.It is further stated that due to pandemic situation, the Iran Embassy has taken steps to send back all Iran prisoners from India to Iran. For this purposes, there should not be any cases pending in any Courts in India. To utilise this



opportunity, the appellant may be permitted to withdraw the appeal through his advocate, for which, he have also sent two letters to his advocate from Prison through Superintendent vide letter dated 06.05.2020 and 22.05.2020.

4. In view of the representation made by the learned counsel for the appellant, the appellant is permitted to withdraw the appeal and this Criminal Appeal is dismissed as withdrawn. It is made clear that this judgment shall not be treated as a precedent as it is passed under the extraordinary circumstances. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Mrn

Note : In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Additional District and Sessions Judge,
Presiding Officer, Special Court for EC and NDPS Cases,
Pudukottai District.
2. The Intelligence Officer,
Narcotics Control Bureau,
Madurai Sub Zone, Madurai.
3. The Superintendent of Central Prison, puzhal, Chennai-66.
4. Mr. C. Arulvadivel @ Sekar,
The Special Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
5. The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai (2 copies).

CrI. A. (MD) No. 171 of 2018
09.10.2020

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