



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

Wednesday, the Twenty Third day of February Two Thousand and Twenty
Two

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.2710 of 2022

IN

CRL A(MD) No.293 of 2021

TAMILSELVAN

... PETITIONER/APPELLANT

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
NID CID UNIT, THENI,
THENI DISTRICT.
(IN CRIME NO.85/2019)

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence imposed by the Judgement dated 29/06/2021 in C.C.NO.428/2019 passed by the Learned I Additional Special Judge for NDPS Act Cases, Madurai, pending disposal of this Appeal and release the petitioner on bail.

PRAYER IN CRL A(MD) No.293 of 2021:

To allow this appeal and acquit the appellant from all the charges by setting aside the impugned Judgment passed by the Learned I Additional Special Judge for NDPS Act cases, Madurai., in C.C.No.428 of 2019 dated 29.06.2021.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.SELVAM J, Advocate for the petitioner and of MR.M.AASHA, GOVERNMENT ADVOCATE (CRL.SIDE) on behalf of the Respondent, the court made the following order:-

This petition has been filed to suspend the sentence imposed on the petitioner in C.C.No.428 of 2019, dated 29.06.2021 by the learned I-Additional Special Judge for NDPS Act Cases, Madurai.

2.The petitioner involved in a case in Crime No.85 of 2019 for the offence under Section 8(c) r/w 20(b)(ii)(C) of NDPS Act and the same was taken on file in C.C.No.428 of 2019 on the file of the learned I-Additional Special Judge for NDPS Act Cases, Madurai. The learned I-Additional Special Judge for NDPS Act Cases, Madurai, found the petitioner guilty under Section 8(c) r/w 20(b)(ii)(C) of NDPS Act and sentenced him to undergo ten years rigorous imprisonment and to pay a fine of Rs.1,00,000/-, in default, to undergo six months simple imprisonment. The petitioner has filed the



application for suspension of sentence pending disposal of the said appeal.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.

4. Earlier the petitioner filed a petition in Crl.M.P(MD)No.10100 of 2021, seeking to suspend the sentence and this Court by an order dismissed the petition on 24.11.2021. Since there is no change in circumstances, this petition is dismissed.

sd/-

23/02/2022

/ TRUE COPY /

/ /2022

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

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 I ADDITIONAL SPECIAL JUDGE FOR NDPS ACT CASES,
MADURAI.

2 THE INSPECTOR OF POLICE
NID CID UNIT, THENI,
THENI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL MP(MD) No.2710 of 2022
IN
CRL A(MD) No.293 of 2021
Date :23/02/2022