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Crl.M.P.No.7772 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2024

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

Crl.M.P.No.7772 of 2024
in Crl.A.No.591 of 2024

Ammu

...Petitioner

Vs.

State represented by:
The Inspector of Police,
J-11, Kannaginagar Police Station

...Respondent

Prayer : Miscellaneous Petition has been filed under Section 389 of Cr.P.C., to suspend the sentence imposed on the petitioner by the learned Principal Special Judge, EC and NDPS Court, Chennai vide order dated 25.03.2024 made in C.C.No.152 of 2018 and enlarge the petitioner on bail.

For Petitioner
For Respondent

: Mr.M.S.Ramesh
: Mrs.G.V.Kasthuri
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous petition has been filed to suspend the sentence of imprisonment imposed on the petitioner herein in C.C.No.152 of 2018 dated 25.03.2024 on the file of the learned Principal Special Judge, EC and NDPS Court, Chennai.

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2. The trial Court has convicted the petitioner under Section 8(c), r/w 20(b) (ii) (B) of NDPS Act and sentenced to undergo Rigorous imprisonment of 5 years and to pay a fine of Rs.50,000/- and in default of payment of fine, to undergo further period of 6 months rigorous imprisonment.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4. The case of the prosecution is that the petitioner had been remanded to judicial custody for possession of 1.200 kgs of Ganja.

5. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person who has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.



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6. Considering the fact that the quantity of Ganja seized is not a commercial quantity, this Court is inclined to grant bail to the petitioner. Accordingly, petitioner ***is ordered to be released on bail*** subject to the following conditions:

(i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Principal Special Court under EC & NDPS Act, Chennai.

(ii) the petitioner shall appear before the respondent police weekly once i.e. First working day of every week at 10.30 a.m. until further orders;

05.06.2024

msv

Note to office: Issue order copy on 06.06.2024

Index : Yes/No

Speaking Order : Yes/No

NCC : Yes/No



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To

1. Principal Special Judge, EC and NDPS Court, Chennai.

2. Women Central Prison,
Puzhal, Chennai.

3. The Inspector of Police,
J-11, Kannaginagar Police Station

4. The Public Prosecutor,
High Court of Madras,
Chennai – 600 104.



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M.DHANDAPANI, J.

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