



Crl.MP.No.10850 of 2024
in Crl.A.No.327 of 2024

M.DHANDAPANI, J.

The present petition has been filed to suspend the sentence imposed in CC.No.67/2020 passed by the Special Judge, II Additional Special Court for Exclusive Trial of cases under NDPS Act, Chennai and enlarge the petitioner on bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and perused the materials available on record.

3. The case of the prosecution is that on 01.09.2018, the pet was in a possession of 6 Kg. Of ganja. The respondent police filed a case against the petitioner and subsequently filed charge sheet. The trial Court has found the petitioner guilty for the offence under Section 8(c) read with 20(b)(ii)(B) of the NDPS Act and sentenced him to undergo RI for four years and to pay fine of Rs.40,000/- in default, to undergo RI for three months. Challenging the same, the petitioner has filed the present appeal along with the petition seeking suspension of sentence.

4. The learned counsel for the petitioner submitted that he is an innocent and there is no foundational facts to prove the case. Hence, the learned counsel prays to grant of suspension of sentence.

5. The learned Additional Public Prosecutor submitted that there are two previous cases pending against the petitioner and hence, she vehemently opposed to allow this petition.



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6. Considering the facts and circumstances of the case and considering the gravity of the offence committed by the petitioner, this Court is not inclined to entertain this petition.

7. Accordingly, this petition is dismissed.

01.08.2024

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