



CRL MP(MD) No.1519 of 2024

WEB COPY

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

Friday, the Ninth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

Crl.M.P.(MD) No.1519 of 2024

in

Crl.A.(MD)No.196 of 2023

RAJA

... PETITIONER/ APPELLANT

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
NILAKOTTAI POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.30 OF 2012.

... RESPONDENT/ RESPONDENT

Criminal Miscellaneous 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 Temporarily by granting interim bail for a period of 7 days from 10.2.2024 to 16.2.2024 imposed by the I-Additional Special Court for NDPS Act Cases, Madurai passed in CC.No.204 of 2013 dt.24.1.2023 pending disposal of the criminal appeal in Crl.A.(MD) No.196 of 2023 for attending the marriage function to be held on 12.02.204 at CTR Mahal, Nadumuthalaikulam of sister in law (own sister's daughter) as per Hindu religious and Customs and thus render justice.



CRL MP(MD) No.1519 of 2024

Prayer in Crl.A.(MD)No.196 of 2023 :

WEB COPY

To call for the records in C.C.No.204 of 2013 relating to the judgment dated 24.01.2023 passed by the I-Additional Special Court for NDPS Act Cases, Madurai and to set aside the judgment of the conviction on the appellant/accused.

Order : This Criminal Miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of S. SELVA KUMAR, Advocate for the petitioner and of MR.B.NAMBISELVAN, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

The petitioner has filed this Criminal Miscellaneous Petition seeking interim suspension of sentence imposed on him by the learned I Additional Special Court for NDPS Act Cases, Madurai, in C.C.No.204 of 2013 dated 24.01.2023 and enlarge the petitioner on bail for a period of 7 days from 10.02.2024 to 16.02.2024 pending Criminal Appeal.

2. It is submitted by the learned counsel for the petitioner that a case has been registered against the petitioner in Crime No.30 of 2012 on the file of the respondent/Inspector of Police, Nilakottai Police Station, Dindigul District, for the offences punishable under Section 8(c) r/w.20(b)(ii)(B) of NDPS Act and the same was taken on file in C.C.No.204 of 2013 before the learned I Additional Special Court for NDPS Act Cases, Madurai. The petitioner was convicted and sentenced to

<https://www.mhc.tn.gov.in/judis>



CRL MP(MD) No.1519 of 2024

WEB COPY

undergo three years rigorous imprisonment and a fine of Rs.10,000/- with 15 days simple imprisonment in case of default for the offence under Section 8(c) r/w.20(b)(ii) (B) of NDPS Act. Challenging the above said conviction and sentence, the petitioner has preferred the present Criminal Appeal along with the above Criminal Miscellaneous Petition seeking interim suspension of sentence.

3. The learned counsel for the petitioner submitted that the petitioner's own sister's daughter's marriage is to be held on 11.02.2023 at CTR Mahal, Nadumuthalaikulam. He further submitted that the petitioner had been in jail from 24.01.2023 and as a paternal uncle, the petitioner wants to perform his sister's daughter's marriage and hence, he prays to grant interim bail to the petitioner.

4. This Court has considered the submissions made by the counsel for the petitioner.

5. The learned Additional Public Prosecutor, on verification, affirmed the above said submission made by the learned counsel for the petitioner.

6. Considering the fact that the petitioner sister's daughter's marriage is to



CRL MP(MD) No.1519 of 2024

be held on 11.02.2024, this Court is inclined to grant interim suspension of sentence for three days i.e., 10.02.2023 to 12.02.2023. Accordingly, the petitioner/accused Raja in Crime No.30 of 2012 is hereby directed to be released on Interim Bail for a period of three days starting at 08.00 a.m. on 10.02.2024 till 5.00 p.m., on 12.02.2024 and the petitioner/accused is directed to surrender before the Superintendent of Prison, Central Prison, Madurai at 5.00 p.m. on 12.02.2024.

7. During the period of interim bail, the petitioner shall be escorted by a police constable and the expenses towards the same to be borne by the petitioner.

8. List the matter for reporting compliance on 14.02.2024.

sd/-
09/02/2024

/ TRUE COPY /

09 /02/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RM



CRL MP(MD) No.1519 of 2024

TO

WEB COPY

1 The I Additional Special Court for NDPS Act Cases, Madurai.

2. The Superintendent,
Central prison,
Madurai.

3. The Inspector of Police,
Nilakottai Police Station,
Dindigul District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai

+1 CC to M/s.J.JEYA ARON RAJA, Advocate (SR-1689[I] dated 09/02/2024)

ORDER

IN

CrI.M.P.(MD) No.1519 of 2024

in

CrI.A.(MD)No.196 of 2023

Date :09/02/2024

SSA//SAR-(09.02.2024) 5P 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023



WEB COPY



CRL MP(MD) No.1519 of 2024