



CRIME NO.76/2012.

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

Tuesday, the Fourth day of June Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA
and
The Hon`ble Mr.Justice K. RAJASEKAR

Crl.M.P.(MD).Nos.10436, 10438 and 12705 of 2023
in
Crl.A.(MD).Nos.705, 713 and 627 of 2022

T.MUTHU

... PETITIONER/ APPELLANT/
ACCUSED NO.2
IN CRL MP(MD)No.10436/2023

S.ILAYARAJA

...PETITIONER/ APPELLANT/
ACCUSED NO.1
IN CRL MP(MD)No.10438/2023

1.BASKAR

2.MATHAN @ MATHANKUMAR

3.MARI @ MARIYAPPAN

...APPELLANTS/ ACCUSED NO.10 TO 12
IN CRL MP(MD)No.12705/2023

Vs

THE INSPECTOR OF POLICE
ATHANAKOTTAI POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO.76/2012.

... RESPONDENT/RESPONDENT
IN ALL CASES



CRIME NO.76/2012.

PRAYER IN CRL MP(MD)No.10436/2023:

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 imposed by the Additional District and Sessions Judge (Special Court for E.C and NDPS Act Cases), Pudukkottai dated 19.09.2022 in S.C No.29/2015, pending disposal of this Criminal Appeal.

Prayer in CRL A(MD)No.705 of 2022:

To call for Records and set aside the judgment dated 19.09.2022 passed by the Additional District and Sessions Judge(Special Court for E.C and NDPS Act Cases), Pudukkottai in S.C.No.29 of 2015 by allowing this Criminal Appeal.

Prayer in CRL MP(MD). 10438/ 2023 :

To Suspend the Sentence imposed by the Additional District and Sessions Judge (Special Court for E.C.and NDPS Act Cases), Pudukkottai dated 19.09.2022 in S.C No.29/2015, pending disposal of this Criminal Appeal and thus render justice.

Prayer in CRL A(MD)No.713 of 2022:

To call for the records and set aside the Judgment dated 19.09.2022 passed by the Additional District and Sessions Judge(Special Court for E.C and NDPS Act Cases), Pudukkottai in S.C.No.29 of 2015 by allowing this Criminal Appeal.

Prayer in CRL MP(MD). 12705/ 2023 :

To suspend the sentence of Imprisonment imposed by the learned Additional District and Sessions Judge/Presiding Officer Special court for EC and NDPS Act Cases, Pudukkottai in S.C No. 29 of 2015 by the Judgment dated 19.09.2022 and enlarge the Petitioners/Appellants on bail, pending disposal of the above said Criminal Appeal.

Prayer in CRL A(MD)No.627 of 2022:

To call for the Records and to set aside the Conviction and sentence dated 19.09.2022 by the learned Additional District and Sessions Judge/Presiding Officer Special Court for EC and NDPS act cases, Pudukottai in S.C.No.29 of 2015 and acquit the Appellants.



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Order : These Criminal Miscellaneous petitions coming up for orders on this day, upon perusing the petitions filed in support thereof and upon hearing the arguments of M/S. ARUL JENIFER.A, Advocate for the petitioner in CRL MP(MD) No.10436/2023 and MR.MUTHU SARAVANAN.C, Advocate for the CRL MP(MD) No.10438 of 2023 and MR.M.KARUNANITHI, Advocate for the CRL MP(MD) No.12705/2023 and of MR.RMS.SETHURAMAN, Additional Public Prosecutor on behalf of the Respondent in all cases, the court made the following order:-

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

This Court has dismissed the earlier applications filed for suspension of sentence on merits in Crl.M.P.(MD).Nos.12065, 13443 and 13215 of 2022 vide order dated 28.04.2023. The present petitions are also filed seeking suspension of sentence. The learned counsels for the petitioners seek time. Since the main appeals itself are ready for final hearing, considering suspension of sentence is not required at this stage and it would be appropriate to list the main appeals for final hearing. Hence, the Criminal Miscellaneous Petitions are dismissed.

2. Registry is directed to list the main appeals for final hearing in the usual course.

sd/-
04/06/2024

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/06/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO
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- 1.ADDITIONAL DISTRICT AND SESSIONS JUDGE/
PRESIDING OFFICER SPECIAL COURT FOR EC AND NDPS ACT CASES,
PUDUKOTTAI
- 2.THE SUPERINTENDENT,
CENTRAL JAIL, TRICHY.
- 3.THE INSPECTOR OF POLICE
ATHANAKOTTAI POLICE STATION, PUDUKKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

Crl.M.P.(MD).Nos.10436, 10438 and 12705 of 2023
in

Crl.A.(MD).Nos.705, 713 and 627 of 2022

Date :04/06/2024

RK/VR (11/06/2024) 4P / 5C

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