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CRL MP No.3184 of 2025 in CRL A No.203 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

**CRL MP No. 3184 of 2025 in
CRL A No.203 of 2025**

KANNAN

S/o. Kaliyan, Aanai Maduvu, Serapattu
Main Road, Lakkinayakkanpatti Post,
Sankarapuramtaluk.

Petitioner

Vs

State Rep. By the Inspector Of Police,
NIB-CID
Villupuram,
Cr.No.32/2021.

Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of B.N.S.S. 2023, to suspend the sentence awarded to the petitioner in Judgment dated 26.12.2024 passed in Special Case No.14 of 2021 by the Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Villupuram during the pendency of this Appeal and enlarge the petitioner on bail.

For Appellant(s): C.Munusamy

For Respondent(s): Mrs.G.V.Kasthuri
Additional Public Prosecutor



ORDER

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This Criminal Miscellaneous Petition has been filed by the petitioner/appellant to suspend the sentence awarded to the petitioner in Judgment dated 26.12.2024 passed in Special Case No.14 of 2021 by the Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Villupuram during the pendency of this appeal and enlarge the petitioner on bail.

2. The case of the petitioner/appellant is that based on the complaint given by the V.A.O., the respondent police registered a case in Crime No.32 of 2021 against the petitioner for the offence under Sections 8(b) read with 20(a)(i) of NDPS Act alleging that the petitioner cultivated Ganja plants among Tapioca plants in his land. After investigation, the respondent police filed the charge sheet and the same was taken on file in Special Case No.14 of 2021 on the file of the Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Villupuram. The learned Magistrate, on conclusion of trial, found the petitioner guilty for the offences under Sections 8(b) read with 20(a)(i) of NDPS Act and convicted and sentenced to undergo rigorous imprisonment for



10 years and imposed fine of Rs.1 lakh.

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3. Challenging the said Judgment of conviction and sentence, the petitioner has preferred the present appeal in Crl.A.No.203 of 2025 and pending appeal, he has filed the present petition seeking to suspend the sentence of imprisonment imposed by the Court below.

4. The learned counsel for the petitioner/appeallant submitted that there are several arguable points and that the petitioner has got a good case for acquittal and prayed that the substantive sentence of imprisonment imposed against the petitioner may be suspended.

5. Heard and perused the materials available on record.

6. Considering the serious nature of offence, this Court is not inclined to suspend the sentence.

7. Accordingly, this Criminal Miscellaneous Petition is dismissed.

18-03-2025

(1/2)

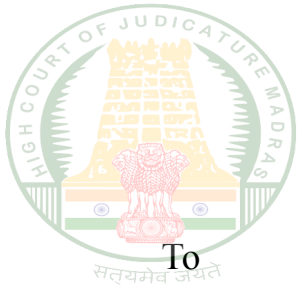
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

<https://www.mhctxn.gov.in/judis> Neutral Citation: Yes/No



To

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1. The Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Villupuram
2. The Inspector Of Police,
NIB-CID
Villupuram
3. The Public Prosecutor
High Court of Madras



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P.VELMURUGAN,J.

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CRL A No.203 of 2025**

**18-03-2025
(1/2)**