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Crl.M.P.No.14210 of 2025 in Crl.A.No.1017 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.14210 of 2025

in

Crl.A.No.1017 of 2025

Sadiyan

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
NIB-CID, Villupuram.

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence dated 28.04.2023 made in Spl.C.No.05 of 2021 by the learned Special Judge, Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases at Villupuram pending disposal of the above appeal and to enlarge the bail to the petitioner/accused in the above appeal.

For Petitioner : Mr.L.Rajendran

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



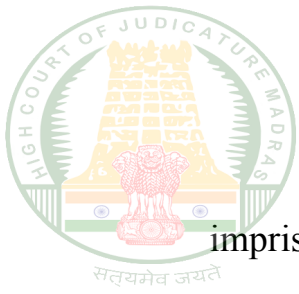
Crl.M.P.No.14210 of 2025 in Crl.A.No.1017 of 2025

ORDER

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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Special Judge, Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Villupuram, by an order dated 28.04.2023 in Spl.C.No.05 of 2021 and enlarge the petitioner on bail pending disposal of the appeal.

2. The case of the prosecution was that the petitioner along with other accused persons cultivated Ganja in between the Cassava plants in his land. On secret information, the respondent made search and found that the petitioner and other accused persons were in illegal possession of 23.400 Kg of Ganja. After completion of investigation, they filed final report and the same has been taken cognizance in Spl.C.No.05 of 2021 on the file of the learned learned Special Judge, Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Villupuram. The trial Court found the petitioner guilty for the offence under Section 8(c) r/w 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act (hereinafter referred to as “the TNPID Act”) and convicted and sentenced him to undergo rigorous



Crl.M.P.No.14210 of 2025 in Crl.A.No.1017 of 2025

imprisonment for a period of ten (10) years and to pay fine of Rs.1,00,000/-

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in default to undergo rigorous imprisonment for further period of six months. Aggrieved by the same, the petitioner has filed this appeal along with the present miscellaneous petition.

3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Appeal and the petitioner/accused has got a fair chance of succeeding in the Criminal Appeal and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. Per contra, the learned Additional Public Prosecutor appearing for the respondent/State raised serious objection for allowing this petition. Further, he would contend that the evidences recorded from the prosecution witnesses would prove the case of the prosecution beyond reasonable doubt. According to him, interference of this Court is not necessary in the findings arrived at by the trial Court.



Crl.M.P.No.14210 of 2025 in Crl.A.No.1017 of 2025

5. Heard the learned counsel appearing on either side and also perused the materials placed on record.

6. On perusal of the records, it is revealed that the petitioner had committed very serious offence as against the society. There is a clinching evidence to prove the case of the prosecution and the prosecution had proved the case beyond the reasonable doubts. Further, the petitioner failed to make out *prima facie* case to grant an interim suspension of sentence.

7. Accordingly, the Criminal Miscellaneous petition stands dismissed.

22.08.2025
($\frac{1}{2}$)

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rts



Crl.M.P.No.14210 of 2025 in Crl.A.No.1017 of 2025

To
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1. The Special Judge,
Special Court under NDPS Act,
Villupuram.
2. The Inspector of Police,
NIB-CID, Villupuram.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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Crl.M.P.No.14210 of 2025 in Crl.A.No.1017 of 2025

G.K.ILANTHIRAIYAN, J.

rts

Crl.M.P.No.14210 of 2025
in Crl.A.No.1017 of 2025

22.08.2025
($\frac{1}{2}$)