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Crl.M.P.No.13354 of 2025
in
Crl.A.No.1099 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.13354 of 2025
in
Crl.A.No.1099 of 2024

Kumar

... Petitioner

Vs.

The State, represented by,
The Inspector of Police,
NIBCID, Kancheepuram.

... Respondent

Prayer : Criminal Miscellaneous Petition filed under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to suspend the sentence of imprisonment imposed on the petitioner in C.C.No.626 of 2023 dated 23.07.2024 by the Principal Special Court under EC and NDPS Act, Chennai and enlarge the petitioner on bail pending determination of the Criminal Appeal No.1099 of 2024, pending before this Court.

For Petitioner : Mr.K.Nirmal Kumar

For Respondent : Mr.S.Raja Kumar
Additional Public Prosecutor

ORDER



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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking to suspend the sentence imposed on him in C.C.No.626 of 2025 dated 23.07.2024 on the file of the Principal Special Court under EC and NDPS Act, Chennai and enlarge the petitioner on bail.

2. The petitioner is an accused in C.C.No.626 of 2025 on the file of the Principal Special Court under EC and NDPS Act, Chennai. He was found guilty for the offences punishable under Sections and he has been convicted and sentenced as under :

S. No.	Conviction	Sentence
1.	Section 8(c) r/w 20(b)(ii)(C) of NDPS Act	to undergo twelve years rigorous imprisonment and to pay a fine of Rs.1,20,000/-, in default to undergo six months rigorous imprisonment.

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



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that there are arguable points available in the Criminal Appeal and the petitioner/accused have 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 by the condition imposed by this Court.

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

5. Considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioner, also by considering the submissions of the learned counsel for the petitioner, further this criminal appeal is not likely to be taken for final hearing in the near future, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions.

6. Accordingly, till the disposal of the Criminal Appeal, the substantive sentence of imprisonment imposed by the learned trial Judge



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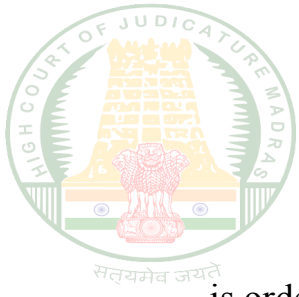
is alone suspended and bail is granted on the following conditions:

(i) The petitioner/accused is ordered to be released on bail, on his executing a bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the Principal Special Court under EC and NDPS Act, Chennai ;

(ii) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure their identities;

(iii) The petitioner shall appear before the Trial Court daily at 10.30 a.m. for a period of one month and thereafter, the petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the Criminal Appeal and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 355 of BNSS, 2023 and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

7. With the above directions, this Criminal Miscellaneous Petition



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is ordered.
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22.07.2025

Index : Yes / No
Speaking order / Non-speaking order
NCC : Yes / No
sp

To

- 1.The Principal Special Court under EC and NDPS Act, Chennai.
- 2.The Superintendent, Central Prison, Puzhal, Chennai.
- 3.The Inspector of Police, NIBCID, Kancheepuram.
- 4.The Public Prosecutor, Madras High Court, Chennai.



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G.K.ILANTHIRAIYAN, J.

sp

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