



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

**Crl.M.P.No.19035 of 2025
in Crl.A.No.1575 of 2025**

Mangaraju

...Petitioner

Versus

State represented by
The Assistant Commissioner of Police,
H-1, Washermenpet Police Station,
Chennai.
(Crime No.9 of 2022)

...Respondent

Prayer:

This Criminal Miscellaneous Petition is filed under Section 389(1) of Cr.P.C praying to suspend the sentence imposed on the petitioner by order dated 17.09.2025 in C.C.No.110 of 2022 by the learned Special Judge, I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai and release the petitioner on bail till the disposal of the above Crl.A.No. of 2025.

For Petitioner	:	Mr.O.Chembulingam
For Respondent	:	Mr.V.Meganathan, Government Advocate (Crl.Side)



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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner seeking to suspend the sentence imposed on him by the learned Special Judge, I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai vide Judgment dated 17.09.2025 in C.C.No.110 of 2022 and enlarge him on bail pending disposal of the Criminal Appeal.

2. The petitioner is Accused No.1 in C.C.No.110 of 2022 on the file of I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai. The petitioner/accused was found guilty of the offence under Sections 8(c) r/w. 20(b)(ii)(C) of the NDPS Act. Therefore, the trial Court vide Judgment dated 17.09.2025 in C.C.No.110 of 2022, convicted the petitioner/accused and sentenced him to undergo rigorous imprisonment for a period of 10 years and to pay a fine of Rs.1,00,000/-, in default, to undergo 6 months simple imprisonment. Aggrieved by the said conviction and sentence, petitioner/accused has filed the present Criminal Appeal.



3. The learned counsel for the petitioner/accused submitted that petitioner/accused has been falsely implicated in this case and he has no nexus with the seizure of contraband as alleged by the prosecution.

3.1. It is further submitted by the learned counsel for petitioner/accused that petitioner/accused was arrested and remanded to judicial custody on 04.01.2022. Since the petitioner/accused has been under the judicial custody for more than 3½ years, his family members are financially struggling a lot to eke out their livelihood.

3.2. The learned counsel for petitioner/accused also submitted that petitioner/accused has a fair chance of succeeding in the Criminal Appeal and he is ready to abide any condition to be imposed by this Court. Therefore, the learned counsel prayed that the substantive sentence imposed on the petitioner/accused may be suspended.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that on 03.01.2022 at around 8.00 p.m.,



petitioner/accused was found transporting 26 kgs of Ganja and thus, respondent Police had seized the said contraband from petitioner/accused and arrested the petitioner/accused. Therefore, the learned Government Advocate (Crl.Side) submitted that he has serious objection for granting bail to petitioner/accused.

5. Heard the learned counsel on both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsel for petitioner/accused coupled with the quantum of punishment imposed on the petitioner/accused and taking into consideration of the fact that the Criminal Appeal is likely to be taken up for final hearing in the near future, this Court is inclined to suspend the substantive sentence of imprisonment alone.

7. Accordingly, till the disposal of the Criminal Appeal, the reliefs of suspension of sentence and bail are granted on the following conditions:



(i) The sentence of imprisonment imposed on the petitioner/accused shall be suspended and the petitioner/accused shall be released on bail on condition that he shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties (out of which, one surety should be blood surety), each for a likesum to the satisfaction of the trial Court;

(ii) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the trial Court may obtain a copy of their Aadhaar Card or Bank Pass Book and their mobile numbers to ensure their identity;

(iii) The petitioner/accused shall appear before the respondent Police on every Saturday at 10.30 a.m. and also, he shall appear before the trial Court on the first working day of every English Calendar month at 10.30 a.m., for a period of 6 months 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 his absence, as directed by the trial Court.



WEB COPY 8. With the above directions, this Criminal Miscellaneous Petition is allowed.

12.11.2025

mrr

Index: Yes/No

Speaking Order (or) Non-Speaking Order

Note: Registry is directed to list Crl.A.No.1575 of 2025 for hearing in the 3rd week of February, 2026.

To

- 1.The Special Judge,
I Additional Special Court for
Exclusive Trial of Cases under NDPS Act,
Chennai.
- 2.The Assistant Commissioner of Police,
H-1, Washermenpet Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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