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Crl.MP.No.67 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2025

CORAM:

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

Crl.M.P.No.67 of 2025

in

Crl.A.No.710 of 2023

Parama @ Paramasivam

...Petitioner

Vs.

The Inspector of Police
J-4, Kotturpuram Police Station,
Kotturpuram,
Chennai-85

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 389(1), 430(1) of BNSS, to suspend the sentence against the petitioner/accused-1 the judgment passed by the Principal Special Court under EC & NDPS Act, Chennai in CC.No.138 of 2021 on 10.05.2023 and enlarge the petitioner on bail, pending disposal of the criminal appeal on the file of this Court.

For Petitioner : Mr.K.Sivakumar

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



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ORDER

WEB COPY This Criminal Miscellaneous Petition has been filed praying to suspend the sentence against the petitioner/accused-1 imposed in the judgment passed by the Principal Special Court under EC & NDPS Act, Chennai) in CC.No.138 of 2021 on 10.05.2023 and to enlarge the petitioner on bail, pending disposal of the criminal appeal on the file of this Court.

2. The petitioner, who is an accused in CC.No.138 of 2021 on the file of the Principal Special Court under EC & NDPS Act, Chennai, was convicted and sentenced, vide judgment dated 10.05.2023, as follows:

Rank of the accused	Conviction under Section	Sentence awarded
A1	Section 8(c)r/w20(b) (ii) (C) of NDPS Act	to undergo rigorous imprisonment for a period of 12 years and to pay fine of Rs.1,20,000/-, in default to undergo rigorous imprisonment for six months
	Section 8(c)r/w20(b) (ii) (B) of NDPS Act	to undergo rigorous imprisonment for a period of 5 years and to pay fine of Rs.50,000/-, in default to undergo rigorous imprisonment for six months

3. Heard the learned counsel for the petitioner and the learned



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Additional Public Prosecutor for the respondent.

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4. The case of the prosecution is that on 31.10.2021 at about 2.45 a.m., the police officials found the accused in possession of contraband kept in two suit cases. On perusal of records, it is revealed that the petitioner already filed a petition to suspend the sentence imposed on him in Crl.MP.No.16363 of 2023. However, recording the facts of the case in detail, this Court dismissed the petition on merits on 25.06.2024. This is the subsequent petition filed for the same prayer. Even then, there is absolutely no change of circumstances to consider the prayer in this petition. Therefore, this Court is not inclined to entertain this petition.

5. Accordingly, this petition is dismissed.

13.06.2025
(2/2)

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

G.K.ILANTHIRAIYAN, J.



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To

1.Principal Special Court under EC & NDPS Act, Chennai

2.The Inspector of Police
J-4, Kotturpuram Police Station,
Kotturpuram,
Chennai-85

3.The Public Prosecutor,
High Court of Madras,
Chennai.

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