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Crl.M.P.No.22432 of 2025
in Crl.A.No.1803 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.M.P.No.22432 of 2025

in

Crl.A.No.1803 of 2025

Rajesh

... Petitioner /Appellant

Vs.

State represented by,
The Inspector of Police,
NIB CID,
Coimbatore,
Crime No.49/2022

... Respondent / Complainant

PRAYER: Criminal Miscellaneous Petition has been filed under Section 430 of BNSS praying to call for the records and to set aside the judgment and sentence dated 05.11.2025 imposed in C.C.No.139 of 2022 on the file of the learned Additional District Judge/Presiding Officer/Special Court under EC Act/NDPS Act Cases at Coimbatore.

For Petitioner : Mr.R.Vivekananthan

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by judgment dated 05.11.2025 passed in C.C.No.139 of 2022 by the Additional District Judge/Presiding Officer/Special Court under EC Act/NDPS Act Cases at Coimbatore, pending disposal of the above criminal appeal and enlarge the petitioner on bail.

2. The petitioner/accused in C.C.No.139 of 2022 was convicted by the Trial Court by judgment dated 05.11.2025 for the offence under Section 8 (c) r/w 20(b)(ii)(B) of NDPS Act and sentenced to undergo four years rigorous imprisonment and to pay a fine of Rs.30,000/-, in default, to undergo rigorous imprisonment for six months. Aggrieved by the same, he filed Crl.A.No.1803 of 2025 before this Court along with the instant criminal miscellaneous petition seeking suspension of sentence and bail.

3. The learned counsel for petitioner would submit that he has raised substantial grounds in the appeal.



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4. Heard the learned counsels on either side and perused the materials available on record.

5. Considering the fact that there are substantial grounds raised in the above appeal, which requires consideration and since the appeal is not likely to be taken up in the near future, this Court is inclined to grant the relief of suspension of sentence to the petitioner.

6. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the petitioner is suspended till the disposal of the above criminal appeal and the petitioner is ordered to be released on bail on the following conditions:

- (i) The petitioner shall execute a bond for a sum of Rs.10,000/-, with two sureties, each for a like sum to the satisfaction of the learned Additional District Judge/Presiding Officer/Special Court under EC Act/NDPS Act Cases at Coimbatore;
- (ii) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity; and



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SUNDER MOHAN, J.

(iii)The petitioner shall appear before the Trial Court on the first working day of every month at 10.30 a.m. until the disposal of the 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 317 Cr.P.C. 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.

**17.12.2025
(2/2)**

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To

1.The Additional District Judge/Presiding Officer/Special Court under EC Act/NDPS Act Cases at Coimbatore.

2.The Central Prison, Coimbatore.

3.The Inspector of Police,
NIB CID,
Coimbatore,
Crime No.49/2022.

4.The Public Prosecutor,
High Court, Madras.

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