



CRL MP(MD) No. 1979 of 2025 in

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18-02-2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

CRL MP(MD) No. 1979 of 2025 in

CrI.A(MD) No.420 of 2024

R.Gowtham

Petitioner

Vs

State represented by
Inspector of Police,
NIB-CID,
Dindigul District.
Crime No.9 of 2022

Respondent

For Petitioner:

Mr.Na.Manimaran

For Respondent:

Mr.T.Senthil Kumar

Additional Public Prosecutor

ORDER

The petitioner, an accused in CC.No.26 of 2023, on the file of the II Additional Special Court for EC and NDPS Act Cases was found guilty for the offence under Sections 8(c) r/w 20(b) (ii) (C) of NDPS Act and was sentenced to



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undergo ten years rigorous imprisonment with fine of Rs.1,00,000/- and default sentence of two years simple imprisonment has also been imposed. As against the conviction and sentence imposed by the trial Court, the petitioner has filed a Criminal Appeal in CrI.A(MD) No.420 of 2024 and the same has been admitted by this Court on 08.05.2024. The petitioner has also moved this application to suspend the sentence imposed on him by the trial Court.

2.The learned Additional Public Prosecutor appearing for the respondent has pointed out that the earlier application filed by the petitioner in CrI.MP(MD) No.5235 of 2024 in CrI.A(MD) No.420 of 2024 to suspend the sentence imposed on him was dismissed by this Court on 18.10.2024. According to the learned Additional Public Prosecutor, there is no change in circumstances after dismissal of the earlier application.

3.The learned counsel appearing for the petitioner submits that though this petitioner was said to be present in the occurrence place, there is no recovery from this petitioner. In fact, the contraband has been recovered from A1.

4.In reply, the learned Additional Public Prosecutor submits that the petitioner is the son of A1, from whom the contraband was recovered and the petitioner is also present in the occurrence place.

5.In view of the above, this Court is not inclined to entertain this Criminal



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Miscellaneous Petition. Accordingly, this Criminal Miscellaneous Petition is
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dismissed.

sd/-
18/02/2025

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/04/2025

Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vrn
TO

- 1 THE II ADDITIONAL SPECIAL JUDGE, FOR NDPS ACT CASES, MADURAI.
- 2 THE INSPECTOR OF POLICE, NIB-CID, DINDIGUL DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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IN
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Date :18/02/2025

NBF/VR/ SAR/ (03/04/2025) 3P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023