



CRL MP(MD) NO. 6774 of 2025

WEB COP BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05-06-2025

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

CRL MP(MD) NO. 6774 of 2025

IN

CRL A(MD) NO. 620 OF 2025

Balamurugan
S/o. Kanthasamy, 5/21, Gangai Street, Aathikulam,
Madurai, Madurai District. Presently confined at Central
Prison, Madurai.

Petitioner(s)

Vs

State Of Tamilnadu Rep By Inspector Of Police,
Thilagarthidal Police Station, Madurai City, Madurai. Crime
No. 260/2024

Respondent(s)

Prayer : The Criminal Miscellaneous Petition is filed for suspension of sentence passed in C.C.No.255 of 2024 on the file of learned Principal Special Judge for EC Act and NDPS Act Cases, Madurai, dated 19.05.2025 as against the petitioner/Accused No.2

For Petitioner(s):

M/s. Maharaja. N
Niranjan.S.Kumar
7222011160

For Respondent(s):

Public Prosecutor



CRL MP(MD) NO. 6774 of 2025

WEB COPY

ORDER

The Criminal Miscellaneous Petition is filed for suspension of sentence imposed by the learned Principal Special Judge for EC Act and NDPS Act Cases, Madurai, dated 19.05.2025, made in C.C.No.255 of 2024. The appellant is the 2nd accused.

2.The case of the prosecution is that on 12.06.2024 at about 11.15 hours, both A1 and A2 came near Pranav Jewellery, Madurai found to be in possession of 3.105kg of Ganja without license and permit. Thereby, they have committed the offence under Sections 8(c) r/w 20(b)(ii)(B) and 25 of NDPS Act.

3.The learned counsel for the petitioner submitted that the accused/A1,A2 have been convicted for the offence under Section 8(c) r/w 20(b)(ii)(B) of NDPS Act and they have been sentenced to undergo rigorous imprisonment for a period of 3 years each and to pay a fine of Rs.15,000/- each, in default to undergo period of 6 months simple imprisonment. Aggrieved over that, the appellant/A2 has preferred this appeal.

4.The learned counsel for the appellant submitted that the seized contraband did not have the seal of the police authority. The learned trial Judge has not dealt about the absence of SHO seal on the contraband, though it has been dealt in Judgment about the absence of signature of the accused in the seizure mahazar.

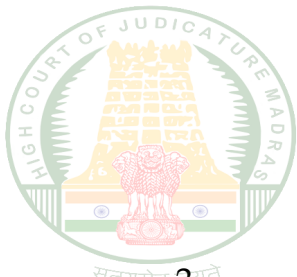


CRL MP(MD) NO. 6774 of 2025

WEB COPY

5. Having regard to the aforesaid point, I feel there are arguable points involved in the appeal. In view of the above, the substantive sentence of imprisonment of the petitioner alone is suspended pending disposal of the appeal on the following conditions:

- 1 The petitioner shall execute a bond for a sum of Rs.25,000/-, with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Principal Special Judge for EC Act and NDPS Act Cases, Madurai;
- 2 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 to ensure their identity; and



CRL MP(MD) NO. 6774 of 2025

सत्यमेव जयते 3
WEB COPY

The petitioner shall appear before the concerned Court on the first working day of every month at 10.30 a.m., until further orders 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.

6. Accordingly, this Criminal Miscellaneous Petition is allowed.

sd/-
05/06/2025

/ TRUE COPY /

10/06/2025

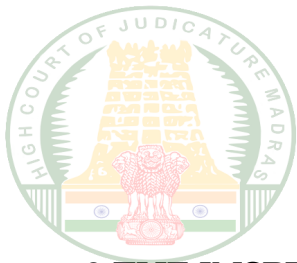
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1. THE PRINCIPAL SPECIAL JUDGE
FOR EC ACT AND NDPS ACT CASES, MADURAI

2. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI



CRL MP(MD) NO. 6774 of 2025

3.THE INSPECTOR OF POLICE,
THILAGARTHIDAL POLICE STATION, MADURAI.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.NIRANJAN S.KUMAR, Advocate (SR-5960[I] dated 05/06/2025)

ORDER
IN
CRL MP(MD) No.6774 of 2025
IN
CRL A(MD) NO. 620 OF 2025
Date :05/06/2025

HPS/10.06.2025 /5P/6C

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