



WEB COPY



*Crl.M.P. No. 2666 of 2026*  
*in*  
*Crl.A. No. 186 of 2026*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2026

CORAM

**THE HONOURABLE MR. JUSTICE SUNDER MOHAN**

Crl.M.P. No. 2666 of 2026

in

Crl.A. No. 186 of 2026

Alamanda Sekar

..Petitioner

Vs.

State rep. by  
The Inspector of Police,  
NIB CID Police Station,  
Vellore District.  
Crime No. 23 of 2022.

..Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 430 of BNSS to suspend the sentence imposed on the petitioner by judgment dated 21.04.2025 passed in Spl.C.C. No. 23 of 2023 by the Principal Special Court under EC & NDPS Act, Salem and enlarge him on bail, pending disposal of the above appeal.

For Petitioner :: Mr.A. Saravanan



WEB COPY



*Crl.M.P. No. 2666 of 2026*  
*in*  
*Crl.A. No. 186 of 2026*

For Respondent ::

Mr.S. Balaji,

Govt. Advocate (Crl.Side)

## ORDER

The above criminal miscellaneous petition is filed to suspend the sentence imposed on the petitioner by judgment dated 21.04.2025 in Spl.C.C. No. 23 of 2023 by the Principal Special Court under EC & NDPS Act, Salem, pending disposal of the appeal and enlarge the petitioner on bail.

2. The petitioner, who is A1 was convicted by the Trial Court for the offences under Sections 8(c) r/w 20(b)(ii)(B) of the NDPS Act and sentenced to undergo rigorous imprisonment for a period of 5 years and to pay a fine of Rs.10,000/- carrying a default sentence of simple imprisonment for 3 months.

3. The case of the prosecution is that the petitioner had transported 20.100Kgs of Ganja for the purpose of sale; that on information, when the respondent conducted an inspection, the petitioner was found in possession of the same and thus, committed the aforesaid offence.



WEB COPY



*Crl.M.P. No. 2666 of 2026*  
*in*  
*Crl.A. No. 186 of 2026*

4. The learned counsel for the petitioner would submit that the allegations against the petitioner are false; that the respondent had stated that the petitioner was in possession of 20.100Kgs of Ganja only to prosecute him for possession of commercial quantity; that the learned Trial Judge ought to have disbelieved the case of the prosecution; that there are several arguable points in the appeal; that fixed sentence of imprisonment has been imposed on the petitioner and that he is in incarceration nearly for a period of 11 months and therefore, prayed for suspension of sentence.

5. Heard the learned Government Advocate (Crl.Side) for the respondent.

6. It is seen that the petitioner is in custody from 21.04.2025 and he was in custody for a few months during interrogation. The Trial Court has imposed a fixed sentence of imprisonment on the petitioner. Considering the above facts and the fact that the petitioner has raised substantial points in the appeal, which require consideration and that



*Crl.M.P. No. 2666 of 2026*  
*in*  
*Crl.A. No. 186 of 2026*

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.

7. 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, 25,000/- (Rupees Twenty Five Thousand only), with two sureties, out of which one surety shall be a local surety, each for a like sum to the satisfaction of the Principal Special Court under EC & NDPS Act, Salem;
- (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
- (iii) The petitioner shall appear before the Trial Court once in a week 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



*Crl.M.P. No. 2666 of 2026*  
*in*  
*Crl.A. No. 186 of 2026*

WEB COPY

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.

27.02.2026

nv

To

1. The Principal Special Court under  
EC & NDPS Act, Salem.
2. The Superintendent, Central Prison,  
Salem.
3. The Inspector of Police,  
NIB CID Police Station,  
Vellore District.
4. The Public Prosecutor,  
High Court, Madras.

5\6



WEB COPY



*Crl.M.P. No. 2666 of 2026*  
*in*  
*Crl.A. No. 186 of 2026*

**SUNDER MOHAN,J.**

nv

Crl.M.P. No. 2666 of 2026  
in  
Crl.A. No. 186 of 2026

27.02.2026