



Crl.MP(MD) No.5897 of 2025 in
Crl.A(MD) No.516 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :18.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.MP(MD) No.5897 of 2025

in

Crl.A(MD) No.516 of 2025

M. Palanichamy

... Petitioner

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Varusanadu Police Station,
Theni District.

... Respondent

Prayer :- This Criminal Miscellaneous Petition is filed under Section 430(1) of BNSS, 2023 to suspend the sentence imposed on the petitioner in CC No.910 of 2022, dated 25.11.2024, on the file of the learned I Additional Special Court for EC & NDPS Act cases, Madurai and enlarge him on bail.

For Petitioner : Mr.NA.Manimaran
For Respondent : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.side)



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ORDER

The petitioner is A1 in CC No.910 of 2022 before the I Additional Special Court for EC & NDPS Act cases, Madurai. The trial Court has found the petitioner guilty, convicted and sentenced as under:-

Sl.No	Sections	Punishment	Fine amount	Default
1.	8(c) r/w 20(b)(ii)(B) of NDPS Act	5 years Rigorous imprisonment	Rs.25,000/-	Six months simple imprisonment

As against the conviction and sentence imposed by the trial Court in CC No.910 of 2022, dated 25.11.2024, the petitioner has filed a Criminal Appeal in Crl.A(MD) No.516 of 2025 and the same was admitted by this Court, by order, dated 29.04.2025. Along with the appeal, the petitioner has moved this petition, seeking suspension of sentence.

2.The case of the prosecution is that the accused 1 to 5 have conspired together and planted ganja plants in 10 cents of forest area



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near Oyamparai, Oosimottaiparai and also they were found in possession of 17 kg of ganja, near Dhandiyankulam, which was the yield from the said cultivation.

3.The learned Government Advocate (Crl.side) appearing for the respondent submits that the petitioner has involved in three other cases, out of which, two cases are of IPC offences and one case has been registered for the offence under the provisions of NDPS Act.

4.Considering the nature of offence, the antecedents of this petitioner and the quantity of contraband involved in this case, this Court is not inclined to grant suspension of sentence. Accordingly, this Criminal Miscellaneous Petition is dismissed.

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Index : Yes/No
vrn



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To

- 1.The Inspector of Police,
Varusanadu Police Station,
Theni District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.,

vrn

Order made in
Crl.MP(MD) No.5897 of 2025
in
Crl.A(MD) No.516 of 2025

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