



CRL MP(MD). No.7449 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 22.04.2026

CORAM

**THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
AND**

THE HONOURABLE MR JUSTICE K.K. RAMAKRISHNAN

CRL MP(MD) NO. 7449 of 2026 in CRL A(MD).No.618 of 2025

State Of Tamilnadu Rep By Inspector of Police,
Thanjavur Taluk
Thanjavur Taluk Police Station
Thanjavur District.
Crime No. 572 of 2013

Petitioner(s)

Vs

Vedigobi @ Gobi

Respondent(s)

For Petitioner(s): Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

For Respondent(s): Mr. Manoj Kumar.A

Prayer:

To Cancel the suspension of sentence/Bail granted in favour of the respondent herein in CrI.M.P.(MD). No. 6758 of 2025 dated 17.12.2025 pending disposal of the main Criminal Appeal in CrI.A.(MD). No. 618 of 2025 arising out of the Sessions Case No.64/18



CRL MP(MD). No.7449 of 2026

ORDER

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(Order of the Court was made by N.Anand Venkatesh J.)

This petition has been filed by the State seeking to cancel the suspension of sentence granted in favour of the respondent/appellant.

2. When the petition came up for hearing on 08.04.2026, this Court, after hearing the learned Additional Public Prosecutor, passed the following order:

“This petition has been filed by the State for cancellation of bail mainly on two grounds.

2. The first ground is that the respondent has failed to comply with the modified condition imposed by this Court in Crl.M.P.(MD).No.366 of 2026 by an order dated 08.01.2026. The second ground raised is that the respondent had misused his liberty and had committed an offence under the NDPS Act resulting in the registration of an FIR in Crime No.86 of 2026 dated 20.02.2026 by the Town South Police Station, Thanjavur. It is also brought to the notice of this Court that the respondent was arrested and remanded to judicial custody and he is presently confined at Central Prison, Trichy.

3. The learned Additional Public Prosecutor is permitted to serve notice on Mr.Manoj Kumar, who appeared for the respondent in the appeal. Private notice



WEB COPY



CRL MP(MD). No.7449 of 2026

shall also be sent to the respondent which shall be served through the Superintendent of Prison, Central Prison, Trichy.

4. Registry is directed to post this case on **22.04.2026.”**

3. Notice has been served on the respondent/appellant and the name of the respondent as well as the counsel appearing on behalf of the respondent in the appeal has been printed in the cause list.

4. The learned counsel for the respondent/appellant submitted that a false case has been foisted against the respondent and when the respondent was arrested in the NDPS case, he informed the learned Magistrate that he has been arrested in a false case and such arrest has taken place even without informing the grounds of arrest. The statement given before the learned Magistrate and the relevant materials were placed before this court.

5. In our considered view, the respondent/appellant was already convicted for the offence under Section 302 IPC apart from other IPC offences and was sentenced to undergo life imprisonment. During the pendency of the appeal, this Court was inclined to suspend the sentence



CRL MP(MD). No.7449 of 2026

by order dated 17.12.2025. When such a liberty is granted to the respondent/appellant, he is expected to comply with the conditions and not to indulge in commission of any further offence. Unfortunately, the respondent/appellant has allegedly indulged in an NDPS offence involving commercial quantity. Presently he has been confined at Central Prison, Trichy pursuant to the arrest and remand made in the NDPS case. This clearly amounts to misuse of liberty granted by this Court and this supervening circumstance will certainly result in cancellation of suspension of sentence granted by this Court. We take into consideration the judgment of the Apex Court in ***M.N.Dinesh v. State of Gujarat*** reported in **2008 (5) SCC 66**.

6. The ground that was raised on the side of the respondent/appellant to the effect that a false case has been foisted cannot be gone into by this Court. For the present, there is an FIR registered against the respondent/appellant for an NDPS offence involving commercial quantity. It is for the respondent/appellant to establish before the concerned Court regarding his innocence and the said issue will not be gone into by this Court. The only consideration for this Court is the fact that an FIR was registered for commission of an



CRL MP(MD). No.7449 of 2026

offence under NDPS Act involving commercial quantity after the suspension of sentence was granted by this Court. Therefore, that by itself is a ground for cancelling the order of suspension of sentence. In the event the appellant proves his innocence, it is always left open to the appellant to approach this court and seek for appropriate relief.

7. The suspension of sentence granted by this court in Crl.M.P.No. 6758 of 2025 dated 17.12.2025 is hereby cancelled and the petition stands allowed.

[N.A.V., J.] & [K.K.R.K., J.]

22.04.2026

RR

To

1. The I Additional District and Sessions Judge, (PCR)
Thanjavur

2. The Inspector of Police,
Thanjavur Taluk Police Station, Thanjavur District.

3. The Superintendent of Prisons, Central Prison, Trichy.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL MP(MD). No.7449 of 2026

N.ANAND VENKATESH,J.
and
K.K. RAMAKRISHNAN,J.

RR

CRL MP(MD). No.7449 of 2026
in
CrI.A(MD).No.618 of 2025

Date : 22.04.2026