



CRL MP(MD). No.9169/2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 06.02.2026

CORAM

THE HONOURABLE MRS. JUSTICE N.MALA

CRL MP(MD). No.9169/2025
in
CRL A(MD)No.29/2025

M.Ravichandran @ Chandran

... Petitioner/A1

Vs

State of Tamilnadu Rep by
The Inspector of Police,
Sedapatti Police Station
Madurai.
Crime No.85/2018.

... Respondent

PRAYER :- To suspend the sentence and conviction made in the judgment dated 30.04.2024 in CC.No.159/2020 passed by the learned I Additional Judge, Special Court for NDPS Act Cases, Madurai and enlarge the petitioner on bail.

For Petitioner : Ms.Sivaranjani for
Mr.P.Thangaprithvirajan

For Respondent : Mr.B.Nambi Selvan, APP



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ORDER

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This Criminal Miscellaneous Petition is filed to suspend the sentence passed by the learned Additional District Judge, [FAC], I Additional Special Court for NDPS Act Cases, Madurai, in CC.No. 159/2020, dated 30.04.2024, and enlarge the petitioner on bail pending disposal of the appeal.

2.This is the second application for suspension of sentence. The petitioner, earlier filed an application seeking suspension of sentence in CrI.MP.(MD).No.426/2025 in the aforesaid criminal appeal and this Court, by order dated 02.04.2025, dismissed the said application. In the said application, the petitioner raised identical grounds relating to violation of mandatory provisions of Section 42 and Section 57 of NDPS Act, apart from stating that the Trial Court, had itself found that the charges against the petitioner for the offences u/s.25 and 29 of the Act, were not made out. This Court, while rejecting the said objections, *prima facie* found that there was no violation of the statute, particularly, Section 42-A. The Court also noted that the petitioner managed to abscond from the scene of occurrence and later, he was arrested by the Andhra Police in a similar NDPS Act case and thereafter, he was



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formally arrested. The Court, taking into consideration, the antecedents of the petitioner, dismissed the petition on 02.04.2025.

3.The petitioner has now filed the second application on the very same grounds, raised and argued earlier before this Court. The grounds now raised, have already been considered by this Court earlier and the same were rejected. It is seen that there is no change in the fact situation and therefore, this second application for suspension of sentence, lacks merit.

4.The Hon'ble Supreme Court, in the case of ***State of Maharashtra Vs. Buddhikota Subha Rao*** reported in ***AIR 1989 SC 2292***, laid down the criteria for considering subsequent bail application, which in my view, also applies to subsequent applications for suspension of sentence. The Apex Court laid down as follows:-

"10....Once that application is rejected, there is no question of granting a similar prayer. That is virtually overruling the earlier decision without there being a change in the fact-situation. And, when we speak of earlier decision and not merely cosmetic changes which are of little or no consequence."



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5. On the facts of this case, this Court finds no substantive change in circumstances, justifying the entertainment of this application. This Court is of the view that entertaining the present application, without a change in the circumstance or substantial development, will amount to reviewing the earlier order, which is not permissible.

6. Hence, this Criminal Miscellaneous Petition is **dismissed**.

06.02.2026

AP

Internet : Yes

TO

1. The Additional District Judge, [FAC],
I Additional Special Court for NDPS Act Cases,
Madurai.
2. The The Inspector of Police,
Sedapatti Police Station
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.MALA,J

AP

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