



Crl.MP(MD) No.17671, 17680, 17711, 11147 of 2025 and 7316 of 2026 in
Crl.A(MD) Nos.1238, 1240, 1242, 263 & 182 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.MP(MD) No.17671, 17680, 17711, 11147 of 2025 & 7316 of 2026
in
Crl.A(MD) Nos.1238, 1240, 1242, 263 & 182 of 2025

Crl.M.P.(MD).No.17671 of 2025

Gobi

... Petitioner

Vs

The State of Tamil Nadu
Rep. by The Inspector of Police
Subramaniyapuram Police Station
Madurai
(Crime No. 116/2021)

... Respondent

Prayer in Crl.M.P.(MD).No.17671 of 2025 :- This Criminal Miscellaneous Petition is filed under Section 430(1) of BNSS, 2023 to suspend the sentence of imprisonment imposed on the petitioner in C.C.No. 388/2021 by the Learned I Addl. Special Court Under NDPS ACT, Madurai dated 12.05.2023 and enlarge the petitioner on bail pending disposal of the Criminal Appeal.

For Petitioner : Mr.S.Senthil Kumar
For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor



Crl.MP(MD) No.17671, 17680, 17711, 11147 of 2025 and 7316 of 2026 in
Crl.A(MD) Nos.1238, 1240, 1242, 263 & 182 of 2025

Crl.M.P.(MD).No.17680 of 2025

Surya @ Keerathuraisurya

... Petitioner

Vs

The State of Tamil Nadu
Rep. by The Inspector of Police
Subramaniyapuram Police Station
Madurai
(Crime No. 116/2021)

... Respondent

Prayer in Crl.M.P.(MD).No.17680 of 2025 :- This Criminal Miscellaneous Petition is filed under Section 430(1) of BNSS, 2023 to suspend the sentence of imprisonment imposed on the petitioner in C.C.No. 388/2021 by the Learned I Addl. Special Court Under NDPS Act, Madurai dated 12.05.2023 and enlarge the petitioner on bail pending disposal of the Criminal Appeal.

For Petitioner : Mr.S.Senthil Kumar
For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor

Crl.M.P.(MD).No.17711 of 2025

Deepak Raja @ Kutta Karuvayan

... Petitioner

Vs

The State of Tamil Nadu
Rep. by The Inspector of Police,
Subramaniyapuram Police Station,
Madurai.
(Crime No. 116/2021)

... Respondent



Crl.MP(MD) No.17671, 17680, 17711, 11147 of 2025 and 7316 of 2026 in
Crl.A(MD) Nos.1238, 1240, 1242, 263 & 182 of 2025

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Prayer in Crl.M.P.(MD).No.17711 of 2025 :- This Criminal Miscellaneous Petition is filed under Section 430(1) of BNSS, 2023 to suspend the sentence imposed on the petitioner / Appellant / Accused No.7 namely Deepak Raja @ Kutta Karuvayan, S/o. Palaniyandavar, passed by the Learned I Additional Special court for NDPS Act Cases, Madurai in CC No.388/2021 dated 12.05.2023 and enlarge the petitioner on bail pending disposal of the Criminal Appeal.

For Petitioner : Mr.M.Jegadeesh Pandian
For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor

Crl.M.P.(MD).No.11147 of 2025

Lakshmanan @ Thalumbu Lakshmanan ... Petitioner

Vs

The State of Tamil Nadu
Rep. by The Inspector of Police,
Subramaniyapuram Police Station,
Madurai.
(Crime No. 116/2021)

... Respondent

Prayer in Crl.M.P.(MD).No.11147 of 2025 :- This Criminal Miscellaneous Petition is filed under Section 430(1) of BNSS, 2023 to suspend the sentence imposed on the petitioner in C.C.No. 388/2021 vide judgement dated 12.05.2023 on the file of the Learned Ist Additional Special Court for N.D.P.S. Act cases, Madurai and enlarge the petitioner on bail pending disposal of the Criminal Appeal.



Crl.MP(MD) No.17671, 17680, 17711, 11147 of 2025 and 7316 of 2026 in
Crl.A(MD) Nos.1238, 1240, 1242, 263 & 182 of 2025

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For Petitioner : Mr.M.Vivek Kumar
For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor

Crl.M.P.(MD).No.7316 of 2026

Chithraivel @ Surya

... Petitioner

Vs

The State of Tamil Nadu
Rep. by The Inspector of Police,
Subramaniyapuram Police Station,
Madurai District.
(Crime No.116/2021)

... Respondent

Prayer in Crl.M.P.(MD).No.7316 of 2026 :- This Criminal Miscellaneous Petition is filed under Section 430(1) of BNSS, 2023, to suspend the sentence imposed against myself in CC No.388/2021 dt.12.05.2023 passed by the learned I Addl Special Court for NDPS Cases, Madurai and enlarge the petitioner on bail pending disposal of the above appeal and pass such further or others.

For Petitioner : Mr.R.Vignesh
For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor



Crl.MP(MD) No.17671, 17680, 17711, 11147 of 2025 and 7316 of 2026 in
Crl.A(MD) Nos.1238, 1240, 1242, 263 & 182 of 2025

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COMMON ORDER

The petitioners are the Accused Nos.1, 2, 4, 5 and 6 in C.C.No. 388 of 2021 on the file of the I Additional Special Court for NDPS Act cases, Madurai. They were tried for the offences under Sections 8(c) r/w. 20(b)(ii)(C), 25, 29(1) of NDPS Act and 25(1)(B)(b) of Arms Act that the accused persons were found in possession of 40 kgs. of ganja along with knives and aruval. After the trial, the trial Court, by its Judgment dated 12.05.2023, found the accused persons guilty for the offences under Section 8(c) r/w. 20(b)(ii)(C) of NDPS Act and Section 25(1-B)(b) of Arms Act, convicted and sentenced them as under:

Sl.No	Sections	Punishment	Fine amount	Default
1.	8(c) r/w. 20(b)(ii)(C) of NDPS Act	10 years rigorous imprisonment each	Rs.1,00,000/- each	12 months simple imprisonment each
2.	25(1-B)(b) of Arms Act	One year imprisonment each	Rs.5,000/- each	-

Challenging the Judgment of conviction and sentence, the petitioners have filed separate appeals before this Court i.e, Crl.A(MD) Nos.1238, 1240, 1242, 263 & 182 of 2025 respectively. Now, the petitioners have moved these petitions seeking to suspend the sentence imposed by the trial Court.



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2. This is the 2nd petition for the accused Nos.1 and 4. The earlier petitions filed by them in Crl.M.P.(MD)Nos.1871 and 2654 of 2025 in Crl.A.(MD)Nos.182 and 263 of 2025 were not considered by this Court and closed, by a common order dated 08.04.2025. Now, these petitions have been moved on the ground that the petitioners have almost completed half of the sentence imposed by the trial Court.

3. The learned counsel appearing for the petitioners submitted that the sentence period is for ten years and the petitioners are in jail for nearly five years and therefore, they have completed half of their sentence period. The learned counsels have also pointed that the accused No.3 in this case, who is similarly placed as that of the petitioners, have already been enlarged on bail, by suspending the sentence, by this Court in Crl.M.P.(MD).No.11430 of 2023 in CrlA.(MD).No.705 of 2023, dated 09.04.2026. Therefore, the relief granted to the Accused No.3 can also be extended to the petitioners, who are similarly placed accused persons.



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4. The learned Additional Public Prosecutor raised serious objections stating that the petitioners are gangsters and they were arrested with contraband. Apart from this case, the accused Nos.1, 2 and 6 are having several previous cases to their credit. The details of the antecedents of accused Nos.1, 2 and 6 are extracted as follows:

"Accused No.1 Lakshmanan @ Thalumbu Lakshman

- 1. C2 L&O PS Cr.No.880/12 u/s 392, 397, 506(ii) IPC*
- 2. C2 L&O PS Cr.No.01/14 u/s 294(b), 307, 323, 324, 341, 448, 506(ii) IPC*
- 3. C2 L&O PS Cr.No.556/15 u/s 392, 397, 506(ii) IPC*
- 4. C2 L&O PS Cr.No.129/17 u/s 8(c) r/w 20(b)(ii) (b) of NDPS Act.*
- 5. C2 L&O PS Cr.No.278/17 u/s 109, 120(b), 147, 148, 149, 294(b), 307, 324, 326, 448, 506(ii) IPC & 4 TNPHW Act.*
- 6. C2 PS Cr.No.471/18 u/s 120(b), 392, 411, 414 IPC*



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7. C2 L&O PS Cr.No.1446/20 u/s 392, 397,

506(ii) IPC.

8. Mandapam PS Cr.No.141/10 u/s 394 IPC.

Accused No.2 Surya @ Keeradurai Surya

1. B6 PS Cr.No.41/20 u/s 294(b), 341, 392 r/w
397, 506(ii) IPC (NTF)

2. B6 PS Cr.No.755/18 u/s 147, 148, 294(b), 324,
435, 506(ii) IPC (NTF)

3. B6 PS Cr.No.667/18 u/s 294(b), 324, 34, 435,
452, 506(ii) IPC (CC 642/22 - Case posted to 27.04.26 for
charge framing)

4. B6 PS Cr.No.16/18 u/s 147, 148, 294(b), 307,
323, 341, 506(ii) IPC (SC 625/18 - Case posted to 27.03.26
for executing A1 NBW Abdul Suban)

5. E3 Anna Nagar PS Cr.No.517/19 u/s 147, 148,
294(b), 353, 307 IPC & 25 (1) (A) of Arms Act & 5 of IES
Act (SC 578/23 - Case posted to 26.03.26 for A4 NBW
Jeyasuryaprakash)



CrI.MP(MD) No.17671, 17680, 17711, 11147 of 2025 and 7316 of 2026 in
CrI.A(MD) Nos.1238, 1240, 1242, 263 & 182 of 2025

6. B6 Southgate PS Cr. No.762/16 u/s 294(b),

326, 341, 506(ii) IPC (Acquittal on 28.11.22 in CC 178/17)

Accused No.6 Deepak Kaja @ Kutta Karuvayan

1. E1 K.Pudur PS Cr.No.01/14 u/s 302, 341, 336

IPC (JC 51/14 - Case posted to 17.03.26 for Lw13, Lw14
examine)

2. D3 Koodalpudur PS Cr.No.952/20 u/s 392,

397, 506(ii) IPC (SC 86/24 - Case posted to 24.03.26 for
further witnesses)

3. D2 Sellur PS Cr.No.123/19 u/s 120(b), 302, 34,

392, 397 IPC (SC 168/20 - Case posted to 10.04.26 for Lw1
examine)

4. D2 Sellur PS Cr.No.885/18 u/s 387, 506(ii) IPC

(CC 633/20 Case posted to 18.04.26 for F/S)

5. D1 Thallakulam PS Cr.No.1198/20 u/s 379

Case posted to 25.05.26 IPC (CC 887/21 for Lw1 to Lw3)

6. D1 Thallakulam PS Cr.No.42/18 u/s 392, 397,

506(ii) IPC (SC No.250/21 Case posted to 30.04.26 for
NBW A1.Markandan)



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7. *D1 Thallakulam PS Cr.No.1167/15 u/s 392,
397, 506(ii) IPC (SC No.304/20 Case posted to 01.04.26 for
A3 NBW Arunkumar)*

8. *D1 Thallakulam PS Cr.No.1968/16 u/s 392,
397, 506(ii) of IPC (NTF)*

9. *Alanganallur PS Cr.No.274/19, u/s.397, 34 of
IPC (Acquittal on 17.12.2024 in S.C.No.13/2024)"*

5. The learned Additional Public Prosecutor further submitted that in the event, if these petitioners are released on bail, they may indulge in further offence.

6. This Court considered the rival submissions made by the counsels appearing on either side.

7. Admittedly, these petitioners are similarly placed accused persons as that of the accused No.3 in C.C.No.388 of 2021. The accused No.3 was already granted bail by suspending the sentence by this Court in Crl.M.P.(MD).No.11430 of 2023 in Crl.A(MD).No.705 of 2023 dated

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09.04.2026. The learned counsel appearing for the petitioners have also raised certain arguable grounds, which can be appreciated only during the final hearing. Admittedly, all these petitioners are in jail for the past five years and they have almost completed half of their sentence period.

8. Though the learned Additional Public Prosecutor has opposed to grant bail to the petitioners, considering the points raised by the petitioners, their period of incarceration and also considering the fact that the appeals could not be taken up for final hearing immediately for want of time and the accused No.3 was already enlarged on bail by suspending the sentence, this Court is inclined to suspend the sentence with certain conditions.

i) The Accused Nos.1, 2 and 6 shall execute a bond for a sum of Rs.2,00,000/- (Rupees Two Lakhs) each with two sureties for a like sum to the satisfaction of the learned Judge, I Additional Special Court for NDPS Act cases, Madurai and the sureties must be Government servants.

ii) The Accused Nos.4 and 5 shall execute a bond for a sum of Rs.1,00,000/- (Rupees one Lakh) each with two sureties for a like sum to the satisfaction of the learned Judge, I Additional Special Court for NDPS Act cases, Madurai.



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iii) The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address, before the trial Court as well as before the respondent Police. In the event, if there is any change of address, the same shall be intimated to the respondent Police without fail.

iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence.

v) The persons, who are offering surety to the petitioners must file an affidavit of undertaking before the respondent police, ensuring that the petitioners will not involve in any other offence in future and they will be available during the final hearing of the appeal. The petitioners/accused Nos.1, 2, 4, 5 and 6 shall also file an affidavit to that effect before the respondent Police.

vi) The Accused No.1 shall stay at Chennai and report before the Inspector of Police, Triplicane Police Station, Chennai daily at 10.30 a.m, until further orders.

vii) The Accused No.2 shall stay at Coimbatore and report before the Inspector of Police, Singanallur Police Station, Coimbatore daily at 10.30a.m. until further orders.

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viii) The Accused No.6 shall stay at Tiruppur and report before the Inspector of Police, Tiruppur South Police Station, Tiruppur daily at 10.30a.m. until further orders.

ix) The Accused Nos.4 and 5 shall report before the respondent police daily at 10.30a.m. until further orders.

x) If the petitioners violate any of the above conditions, it is open to the respondent police to file an application to cancel the bail granted to them.

17.04.2026

Index : Yes/No
Internet : Yes/No
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Note :

Issue order copy on 24.04.2026



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CrI.A(MD) Nos.1238, 1240, 1242, 263 & 182 of 2025

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To

1.The I Additional Special Court for NDPS Act cases,
Madurai.

2. The Inspector of Police
Subramaniyapuram Police Station
Madurai.

3. The Inspector of Police,
Triplicane Police Station, Chennai.

4. The Inspector of Police,
Singanallur Police Station,
Coimbatore.

5. The Inspector of Police,
Tiruppur South Police Station,
Tiruppur.

6. The Superintendent,
Central Prison,
Madurai.

Copy to

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



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B.PUGALENDHI, J.,

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Common Order made in
Crl.MP(MD) No.17671, 17680, 17711, 11147 of 2025
and 7316 of 2026
in
Crl.A(MD) Nos.1238, 1240, 1242, 263 & 182 of 2025

17.04.2026