



**CrlMP(MD)No.9714 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 17.06.2026**

**CORAM:**

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**CrlMP(MD)No.9714 of 2025in  
Crl A(MD)No.277 of 2025**

**L.Sasikumar**

**...Petitioner**

**Vs**

**The State of Tamil Nadu,  
Rep by the Inspector of Police,  
NIB-CID, Dindigul,  
Dindigul District,  
[Crime No.36 of 2021]**

**... Respondent**

**PRAYER:** Petition filed under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, to suspend the order of conviction and sentence dated 29.10.2024 imposed upon the petitioner by the I Additional Special Court for NDPS Act Cases, Madurai in CC.No.580 of 2021 and thereby enlarge the petitioner on bail till the disposal of the above criminal appeal.

**For Petitioner : Mr.RC.Paul Kanagaraj  
For Respondent : Mrs.V.Moushica,  
Government Advocate**

**ORDER**

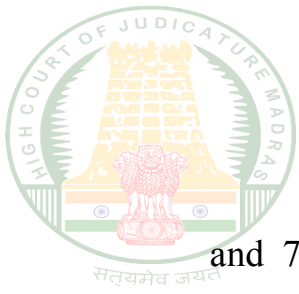
The petitioner is accused No.1 in CC.No.580 of 2021 on the file of the I Additional Special Court for NDPS Act Cases, Madurai. A final report was filed arraying this petitioner as accused No.1 by the



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respondent police along with 6 others that this petitioner on seeing the police party has escaped from the scene of occurrence. The trial court by judgment dated 29.10.2024 found the petitioner guilty, convicted and sentenced him to undergo 15 years rigorous imprisonment with a fine of Rs.1,00,000/-, in default to undergo 3 years simple imprisonment for the offence under Sections 8(c) r/w 20(b)(ii)(C) of the NDPS Act. As against the conviction and sentence imposed by the trial Court, the petitioner has filed an appeal in CrIa(MD)No.277 of 2025 along with this petition to suspend the sentence imposed on him by the trial court. The appeal has been admitted by this Court on 05.03.2025.

2.The learned counsel for the petitioner submits that the petitioner is in jail from 02.02.2023. He has been implicated in this case through the confession statement. He was not present in the place of occurrence and there is no recovery from this petitioner. Though the police claims that on seeing the police, the petitioner had absconded from the place of occurrence, no identification parade has been conducted. The respondent police has not collected any call details records between this petitioner and the other accused. The mandatory provisions under Sections 42, 57



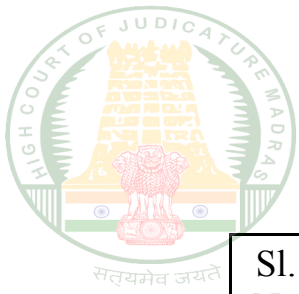
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and 72 of the NDPS Act have not been complied with in this case.

The learned counsel further submits that there is motive between the Oddanchathiram Police and the petitioner. According to the petitioner, the petitioner's vehicle was stolen and in that regard he has filed a writ petition as against the Oddanchathiram Police and on this motive this case has been foisted against him.

3.The learned Government Counsel submits that this petitioner is accused No.1 and this is the 2<sup>nd</sup> petition filed for suspension of sentence. Further 50 Kgs of ganja has been recovered from a car in this case and on seeing the police, the petitioner absconded. He further submits that apart from this case, the petitioner has involved in the following cases.

| Sl. No | Name of the Police Station & Crime No. | Crime Nos.  | offences                     |
|--------|----------------------------------------|-------------|------------------------------|
| 1      | Oddanchathiram PS                      | 605 of 1997 | 307, 302, 394 IPC, convicted |
| 2      | Oddanchathiram PS                      | 948 of 2006 | 394 IPC acquitted            |
| 3      | Oddanchathiram PS                      | 536 of 2003 | 380 IPC acquitted            |
| 4      | Oddanchathiram PS                      | 140 of 2011 | 110 CrPC bind over           |
| 5      | Oddanchathiram PS                      | 471 of 2012 | 110 CrPC bind over           |
| 6      | Oddanchathiram PS                      | 205 of 2016 | 41(d) CrPC                   |



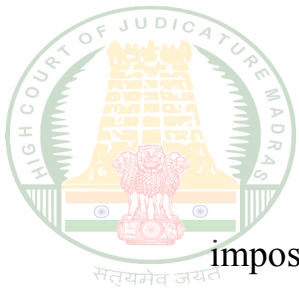
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| Sl. No | Name of the Police Station & Crime No. | Crime Nos. | offences                  |
|--------|----------------------------------------|------------|---------------------------|
| 7      | Oddanchathiram PS                      | 67 of 2021 | 447, 284(b), 323 IPC (UI) |

4.This court has considered the rival submissions made.

5.The earlier petition filed by the petitioner has been dismissed as withdrawn. Though it is stated that the petitioner was present in the place of occurrence, he was not secured and he was implicated only through the confession statement and there is no recovery from this petitioner. The petitioner is in jail from 02.02.2023 nearly for 3 ½ years.

6.The petitioner has raised certain arguable points in this petition, which can be considered only during the final hearing of the appeal. However the appeal could not be taken up for final hearing for want of time. Considering the period of incarceration and grounds raised in this petition and that the appeal could not be taken up immediately for final hearing, this Court is inclined to allow this petition. Accordingly this petition is allowed and the substantive sentence of imprisonment



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imposed on the petitioner alone is suspended pending disposal of the criminal appeal on the following conditions:

(i) The petitioner is ordered to be enlarged on bail on executing a bond for a sum of Rs.2,00,000/- (Rupees Two Lakh) with two sureties each for a like sum to the satisfaction of the I Additional Special Court for NDPS Act Cases, Madurai and one of the sureties must be a government servant.

(ii) The petitioner and the sureties shall file an affidavit before the respondent police that the petitioner will not misuse this liberty and will not indulge in any further offence.

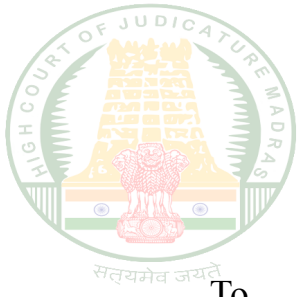
(iii) The petitioner shall report before the respondent police daily at 10.30 am.

(iv) If the petitioner changes his residence, the same shall be informed to the respondent police immediately with correct address.

(v) If the petitioner violates any of the conditions, the respondent police shall move an application to cancel the order of suspension of sentence of imprisonment.

17.06.2026

DSK



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To  
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- 1.The Inspector of Police,  
NIB-CID, Dindigul,  
Dindigul District,
- 2.I Additional Special Court for NDPS Act Cases,  
Madurai.
- 3.The Superintendent,  
Central Prison,  
Trichy.

**Copy to**

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



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**B.PUGALENDHI.J.,**

DSK

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in  
CrI A(MD)No.277 of 2025**

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