



CrIMP(MD)No.14730 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**CrIMP(MD)No.14730 of 2025
in
CrIA(MD)No.941 of 2025**

Chiranjeevi

...Petitioner

Vs

**The Sub Inspector of Police,
Aruppukottai Town Police Station,
Aruppukottai, Virudhunagar.
[Crime No.299 of 2022]**

... Respondent

PRAYER: Petition filed under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, to suspend the sentence of imprisonment imposed on the petitioner /appellant / accused No.4 by the Additional District and Sessions Judge/ Presiding Officer, Special Court for EC and NDPS Act Cases, Pudukottai dated 11.03.2025 in CC.No.176 of 2023.

For Petitioner : Mr.S.Venkatasubramaniyan

For Respondent : Mr.T.Senthil Kumar,

Additional Public Prosecutor



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ORDER

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The petitioner is accused No.4 in CC.No.176 of 2023 on the file of the Special Court for EC and NDPS Act Cases, Pudukottai. He was tried and by judgment dated 11.03.2025, he has been convicted and sentenced to undergo 12 years of rigorous imprisonment with a fine of Rs.3,60,000/- and in default to pay the fine, to undergo six months simple imprisonment for the offence under Section 8(c) r/w 20(b)(ii)(C), 8(c) r/w 29(1) and 8(c) r/w 25 of NDPS Act. As against the conviction and sentence imposed by the trial Court, the petitioner has filed an appeal in CrIa(MD)No.941 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 04.09.2025.

2.The learned counsel appearing for the petitioner submits that there is no recovery from this petitioner. The petitioner has been implicated only based on the confession statement of accused No.1. However this confession statement has not been marked as a document. There is a delay of 32 days in sending the contraband to the Forensic Lab. The respondent police have not identified the owner of the alleged



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vehicle and marked the RC book. He further submits that the petitioner is in jail for more than 3 years and 3 months.

3.The learned Additional Public Prosecutor opposed this petitioner that the petitioner has involved in a similar offence on the previous occasion.

4.This court has considered the rival submissions made.

5.The petitioner has raised certain arguable points, 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 points raised by the petitioner and that the appeal could not be taken up immediately and the petitioner's period of incarceration, this Court is inclined to allow this petition.

6. Accordingly this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the criminal appeal on the following conditions:



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(i)The petitioner is ordered to be enlarged on bail on executing a bond for Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the Additional District and Sessions Judge/ Presiding Officer, Special Court for EC and NDPS Act Cases, Pudukottai and the sureties must be government servants.

(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 10.30am.

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

25.03.2026

DSK



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To

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- 1.The Sub Inspector of Police,
Aruppukottai Town Police Station,
Aruppukottai, Virudhunagar.
- 2.The Additional District and Sessions Judge /
Presiding Officer,
Special Court for EC and NDPS Act Cases,
Pudukottai.
- 3.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.,

DSK

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