



*Crl.MP(MD) No.110 of 2026 in
Crl.A(MD) No.3 of 2026*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :04.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.M.P.(MD)No.110 of 2026
in Crl.A.(MD)No.3 of 2026

Senthil

... Petitioner

Vs.

State Of Tamilnadu,
Rep By. Inspector Of Police,
Dindigul West Town Police Station,
Dindigul District.
Crime No.568 of 2022.

... Respondent

Prayer: Petition filed under Section 430 of BNSS to suspend the sentence imposed by the learned I Additional Special Court for NDPS Act cases, Madurai district in C.C.No.645 of 2023 dated 15.04.2025 and enlarge the Appellant on bail pending disposal of the above said Criminal Appeal.

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

ORDER

The petitioner, an accused in C.C.No.645 of 2023, on the file of the learned I Additional Special Court for NDPS Act cases, Madurai was found guilty by the trial Court and was convicted and sentenced as under:-



*Crl.MP(MD) No.110 of 2026 in
Crl.A(MD) No.3 of 2026*

Sl.No	Sections	Punishment	Fine amount	Default
1	8(c) r/w 20(b)(ii)(B) of NDPS Act	7 years Rigorous imprisonment	Rs.70,000/-	18 months simple imprisonment

As against the conviction and sentence imposed by the trial Court in C.C.No.645 of 2023, dated 15.04.2025, the petitioner has filed a Criminal Appeal in Crl.A(MD)No.3 of 2026 and the same was admitted by this Court on 06.01.2026. The petitioner has also moved this application to suspend the sentence imposed on him by the trial Court.

2. The case of the prosecution is that the respondent Police has recovered 2 kg of ganja from the house of the petitioner. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that there is no bad antecedent as against this petitioner. Though according to the prosecution 2 kg of ganja alone was recovered from the house of the petitioner, the trial Court has fastened the liability as against the petitioner for the ganja that has been recovered from one of the co-accused. He



*Crl.MP(MD) No.110 of 2026 in
Crl.A(MD) No.3 of 2026*

further submits that the petitioner is in jail from the date of his arrest and he has almost undergone 3 years and 2 months of incarceration. He also submits that A2 and A3 were enlarged on bail by this Court by suspending their sentence on 03.03.2026.

4. The learned Additional Public Prosecutor appearing for the respondent also submits that the petitioner has no previous case as against him.

5. This Court considered the rival submissions made and also perused the materials placed on record.

6. Considering the period of incarceration and the fact that this Court already suspended the sentence of the co-accused and also the fact that the petitioner has no bad antecedent and for the reasons that the appeal could not be taken up immediately, this Court is inclined to suspend the sentence imposed on the petitioner.



WEB COPY



*Crl.MP(MD) No.110 of 2026 in
Crl.A(MD) No.3 of 2026*

7. Accordingly, the substantive sentence of imprisonment alone is suspended pending disposal of the criminal appeal and the petitioner is ordered to be enlarged on bail on the following conditions:-

- i. The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned I Additional Special Court for NDPS Act cases, Madurai.
- ii. The petitioner shall report before the Inspector of Police, Dindigul West Town Police Station, Dindigul District daily at 10.30 a.m., till the disposal of the appeal.
- iii. The petitioner shall file an affidavit of undertaking before the respondent police that he will not involve in any offence in future.
- iv. In the event, if the petitioner has violated any of the above conditions, it is open to the respondent police to file an application to cancel the bail granted to him.

04.03.2026

mbi



*Crl.MP(MD) No.110 of 2026 in
Crl.A(MD) No.3 of 2026*

To

WEB COPY

- 1.The I Additional Special Court
for NDPS Act cases,
Madurai.
- 2.The Inspector Of Police,
Dindigul West Town Police Station,
Dindigul District.
- 3.The Superintendent,
Central Prison,
Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



*Crl.MP(MD) No.110 of 2026 in
Crl.A(MD) No.3 of 2026*

B.PUGALENDHI, J.,

mbi

Crl.MP(MD) No.110 of 2026
in
Crl.A(MD) No.3 of 2026

04.03.2026