

In the Court of the Principal Special court for EC & NDPS Act Cases, Madurai

**Present: Tr.M.Chenkamala Selvan.B.L.,
Additional District Judge/Presiding Officer,**

Principal Special court for EC & NDPS Act Cases, Madurai.

Dated this the 11th day of January 2023 Wednesday

C.C. No.973/2022

State through the Inspector of Police,
Tharuvaikulam Police Station,
Cr.No.79/2022

--- Complainant

-Vs.-

Sooriya
S/o. Mani

--- Accused

This case was taken on file on 14.12.2022 and finally came before this court on this day in the presence of Thiru.P.Thangeshwaran, Special Public Prosecutor for the complainant and Tr.J.Jeya Aron Raja for the accused and upon hearing arguments of both sides and upon perusing entire material records and having stood over till this day for consideration, this court delivered the following :

J U D G M E N T.

1) The complainant has filed the charge sheet against the accused stating that on 01.05.2022 at about 12.00 hours, Kalmedu to Patiyur road, the accused was found in possession of 1.250 kgs ganja without any valid permission or license of the Government and thereby committed an offence punishable under section 8(c) r/w 20(b)(ii)(B) of NDPS Act.

2. On appearance of the accused in court, copies of all the material parts of documents were furnished to the accused free of cost u/s 207 Cr.P.C.

3. On perusal of the entire records and on hearing both sides, since prima facie case was made out, charge was framed under section 8(c) r/w 20(b)(ii)(B), of N.D.P.S. Act.

4. While the same was explained to the accused, he admitted the charge and pleaded guilty. He filed admission petition.

5. Records perused. Since, there are materials available as against the accused to substantiate the charge against him the plea of guilty is accepted.

6. The accused is found guilty under section 8(c) r/w 20(b)(ii)(B) of N.D.P.S. Act and she is convicted. When the accused was questioned u/s. 248(2) Cr.P.C. regarding the quantum of sentence to be awarded, he pleaded as follows:
வேலையில்லை, வருமானம் இல்லை. இனிமேல் இது போன்ற குற்ற செயல்களில் ஈடுபடமாட்டேன். மன்னித்து குறைந்தபட்ச தண்டனையும், அபராதமும் விதிக்கும்படி பிராத்திக்கிறேன்.

7. Considering his request, quantity of the contraband and evoke mitigating circumstances to take lenient view in sentencing process with fine.

8. In the result, the accused is found guilty u/S. 8(c) r/w 20(b)(ii)(B), of NDPS Act and the accused is convicted and sentenced to undergo Rigorous Imprisonment for **23 days** and also imposed a fine of **Rs.2500/-** in default the accused shall undergo simple imprisonment for **2months**. The period of detention already undergone by the accused from 01.05.2022 to 24.05.2022 is set off u/s.428 Cr.P.C.

8. The properties ganja and white colour bag remanded in this Court in R.P.R. No.349/2022 ordered to be destroyed after following the procedure as per Rule.

Dictated to the Steno-Typist, directly typed by her in computer and corrected and pronounced by me in the open court, this the 11th day of January 2023.

(Sd)Tr.M.Chenkamalaselvan
Additional District Judge/Presiding Officer
Prl. Special court for EC & NDPS Act Cases,
Madurai.

Note:

Imposed fine is collected.

Accused is released u/s.428CrPC.

(Sd)Tr.M.Chenkamalaselvan
Additional District Judge/Presiding Officer
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Madurai.