



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Twenty Ninth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10783 of 2015

RIFFAS @ MOHAMED RIFFAS

... PETITIONER/ACCUSED NO.3

Vs

STATE REP BY ITS

THE INSPECTOR OF POLICE

KEELAKARAI POLICE STATION, RAMANATHAPURAM DISTRICT

(CRIME NO.39 OF 2014)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.J.ASSOCIATES Advocate

For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

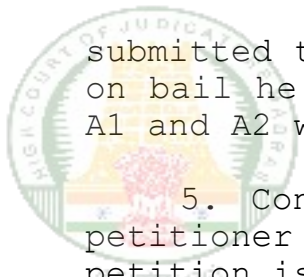
ORDER : The Court Made the following order :-

The petitioner, who was remanded to judicial custody by the respondent police on 02.03.2014 for the alleged offence under Section 8(c) r/w 21(c) NDPS Act in Crime No.39 of 2014 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused was in possession of 4.900 kgs of Charas.

3. The learned counsel for the petitioner submitted that the respondent has not followed the procedure contemplated under NDPS Act. The learned counsel further submitted that there was a delay of 2 ½ months in producing the contraband to the Special Court and further, the respondent has not taken sample from the occurrence spot and that they have taken sample only from one pocket. The learned counsel further submitted that the petitioner is entitled for granting bail as per the order of this Court in Crl.O.P.No.18641 of 2014.

4. Per contra, the learned Government Advocate (Crl.side) submitted that the respondent has followed all procedures and the petitioner has to establish violation before the trial court and at this stage, the said ground cannot be considered. It is further



submitted that the petitioner is a Srilankan and once he is released on bail he will not be available for trial and the bail petition of A1 and A2 was already dismissed.

5. Considering the same, this Court is of the view that the petitioner is not entitled for granting of bail. Hence, this petition is dismissed.

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sd/-
29/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

2. THE SUPERINTENDENT
CENTRAL PRISON, TRICHY

3. THE INSPECTOR OF POLICE
KEELAKARAI POLICE STATION, RAMANATHAPURAM DISTRICT

RL/4 C- 2/7/2015

ORDER
IN
CRL OP(MD) No.10783 of 2015
Date : 29/06/2015