



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

Thursday, the Twenty Third day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.3207 and 7506 of 2015

MURUGAN

... PETITIONER/ACCUSED NO.4
IN CRL.OP(MD)NO.3207/2015

MUNIYANDI @ ETTU IDLY MUNIYANDI

... PETITIONER/ACCUSED NO.2
IN CRL.OP(MD)NO.7506/2015

Vs

STATE REP BY

THE SUB INSPECTOR OF POLICE

CUMBUM NORTH POLICE STATION, THENI DISTRICT

CRIME NO.169 OF 2014 ... RESPONDENT/COMPLAINANT IN BOTH
THE PETITIONS

For Petitioner : M/S. B. PANDIARAJAN Advocate in
Crl.OP(MD)No.3207/2015

M/S.S.MUNIYANDI, Advocate in
Crl.OP(MD)No.7506/2015

For Respondent : M/S.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side) in both the Petitions

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

COMMON ORDER

The petitioners, who are arrayed as accused Nos.2 and 4 in Crime No.169 of 2014 on the file of the respondent police, were remanded to judicial custody on 20.05.2014 and 17.06.2014 respectively for the alleged offences punishable under Sections 8(c) r/w. Section 20(b) (ii) (C) and Section 25 of NDPS Act, and hence, seek bail.

2. The case of the prosecution is that the accused were found in possession of 100 kgs. of ganja.

3. The learned counsel for the petitioners submitted that the first accused was arrested on 18.05.2014 at 12.15 hours and after



recording confession, the case was registered at 12.30 hours, but the confession contains the crime number. The learned counsel for the petitioners further submitted that this creates a serious doubt over the case of the prosecution and he relies on the orders passed by this Court, in which this Court has granted bail to the accused.

4. Per contra, the learned Government Advocate (Crl.side) submitted that the petitioners did not have permanent residence, that the prosecution has examined all the witnesses and the case is posted on 24.04.2015 for examination of the Investigating Officer. The learned Government Advocate further submitted that if the accused are granted bail, they will not be available for trial and within 15 days the entire case can be completed.

5. Considering the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioners and the same are dismissed. However, the trial Court is directed to complete the trial within 15 days from the date of receipt of a copy of this order. The respondent shall produce all the witnesses for the next hearing date without fail.

sd/-
23/04/2015

/ TRUE COPY /

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

TO

- 1.THE ADDITIONAL DISTRICT JUDGE OF PRINCIPAL SPECIAL COURT FOR
EC AND NDPS ACT CASES, MADURAI
 - 2.THE SUB INSPECTOR OF POLICE
CUMBUM NORTH POLICE STATION, THENI DISTRICT
 - 3.THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
 - 4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI
- RL/5 C- 28/4/2015

ORDER
IN
CRL OP(MD) Nos.3207 and 7506
of 2015
Date :23/04/2015