

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Sixth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S. VAIDYANATHAN

CRIMINAL ORIGINAL PETITION No.7882 of 2017

KARTHIKEYAN

[PETITIONER / ACCUSED]

Vs

STATE REP.BY ITS

[RESPONDENT]

INSPECTOR OF POLICE,

M-4, REDHILLS POLICE STATION,

CHENNAI

CR.NO.916 OF 2014.

For Petitioner : M/S.R.GANESH KUMAR Advocate

For Respondent : M/S P.RAJARATHINAM, PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 05.06.2014 for the alleged offences punishable under Sections 8(c) read with 20 (b), (c) of the NDPS Act read with Sections 465, 471, 419 IPC in Crime No.916 of 2014 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner/A1 was found in illegal possession of 366.900 Kgs. of Ganja in ten Gunny bags.

3. Heard the learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent.

4. The earlier bail petitions of the petitioner were dismissed on 14.10.2015 in CrI.O.P.No.23957 of 2015, on 15.11.2016 in CrI.O.P.No.19087 of 2016 and one was withdrawn on 04.05.2016 in CrI.O.P.No.10480 of 2016.

5. Taking note of the fact that serious offence is said to have been committed by the petitioner, as he was in possession of Ganja illegally as noted above, and that the learned Public Prosecutor submitted that six witnesses have been examined and that the accused has fled a petition to recall P.W.1 and even though it has been stated in the counter affidavit that nine witnesses have been examined, the learned Public Prosecutor submitted that only six witnesses have been examined and it is due to typographical error that it was wrongly

mentioned, and based on verbal instructions, he has been making submission that only six witnesses have been examined, and in any event, taking note of the serious offence said to have been committed by the petitioner, this Court has already directed the trial Court (dealing with NDPS cases) to dispose of the case within a period of six months, this Court is not inclined to grant the relief of bail to the petitioner, however, this Court now grants time to the trial Court to dispose of the case within a further period of six months from today without adjourning the matter beyond five working days at any point of time and the trial Court shall take up the trial on a day-to-day basis.

6. With the above direction, the petition is dismissed.

-sd/-
06/06/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SUPERINTENDENT,
CENTRAL PRISON, CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE,
M-4, REDHILLS POLICE STATION,
CHENNAI.

CC to M/S.R.GANESH KUMAR Advocate on payment of necessary charges Sr.9934

CRL OP.7882/2017

Date :06/06/2017

rvr 08/06/2017