



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

Wednesday, the Thirty First day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.16388 of 2018

SONAI

... PETITIONER / ACCUSED No.4

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI CITY.
(IN CRIME NO. 1340 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.J.WILLIAM CHRISTOPHER Advocate

For Respondent : MR.V.NEELAKANDAN,
Additional Public Prosecutor

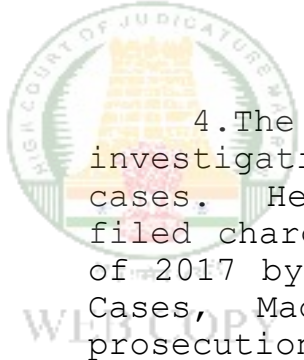
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on 28.09.2018 for the offence under Sections 8(C), 20(b)(ii) ©, 27(a), 29(1) of Narcotic Drugs and Psychotropic Substances Act, in crime No.1340 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 23.09.2017 at about 11.20 a.m., on secret information, the police party have conducted an inspection in front of the house of A3 at Nethaji Nagar, Vandiyur, Madurai at about 11.30 p.m., and cause A1 and A2, who were alleged to have attempted to escape on seeing the police parties. Later, A1 and A2 alleged to have confessed before the respondent that on 11.07.2017, all the accused were purchased 22 kgs of ganja from Andhra Pradesh for a sum of Rs.80,000/- by equal share and they have divided the contraband among them and transported to Madurai and on the basis of the confession of A1 and A2, 22 kgs of ganja was seized. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has no way connected with the alleged offence.



4.The learned Additional Government Pleader submitted that the investigation is pending and the petitioner is having 13 previous cases. He would further submit that in this case, the respondent filed charge sheet and the same was taken cognizance in C.C.No.197 of 2017 by the learned Principal Special Court for EC and NDPS Act Cases, Madurai and two witnesses were also examined by the prosecution and hence, he opposed for grant of bail.

5.Taking note of the facts and circumstances, since the petitioner is having 13 previous cases and the trial is commenced and two witnesses have already been examined, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this criminal original petition is dismissed.

sd/-
31/10/2018

/ TRUE COPY /

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

TO

- 1.THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI CITY.
- 2.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.16388 of 2018
Date :31/10/2018

Arul
PK/JC/SAR4/19.11.2018/2P/4C