



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

Thursday, the Twenty Eighth day of March Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4702 of 2019

1 RAJKUMAR
2 SAKTHIVEL

... PETITIONERS / ACCUSED 3 & 4

Vs

THE STATE OF TAMIL NADU REP BY
THE INSPECTOR OF POLICE,
NIBCID, NAGAPATTINAM POLICE STATION,
NAGAPATTINAM, THANJAVUR DISTRICT.
(IN CRIME NO. 39 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR. K.M. SUBRAMANIAM Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody since 04.08.2018 for the offences punishable under Sections 8(c) r/w, 20(b) (ii) (c), 29(i) and 25 of NDPS Act and under Section 14 of the Foreigners Act, 1946 and under Sections 3(a), 6(a) of Passport (Entry into India) Rules, 1950 in Crime No.39 of 2018, on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 03.08.2018, on receipt of secret information the respondent police conducted routine vehicle check up and found that the accused persons illegally transported 174 kilograms of Ganja and they attempted to transport the same to Srilanka.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prayed for bail.

4.The learned Additional Public Prosecutor would submit that the contraband is commercial quantity, hence, the earlier two applications filed by the petitioner seeking bail was dismissed by this court and the charge sheet has been filed before the Additional District Judge, Special Court for EC & NDPS Act Cases, Thanjavur.



5.Considering the materials seized in this case and since the case was charge sheeted, this Court is not inclined to grant bail to the petitioner. However, the learned Additional District and Sessions Judge, Special Court for EC & NDPS Act Cases, Thanjavur, is directed to expedite the trial and dispose of the case within a period of six months from the date of receipt of a copy of this order.

6.With the above direction, this Criminal original petition stands dismissed.

sd/-
28/03/2019

/ TRUE COPY /

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

TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
SPECIAL COURT FOR EC & NDPS ACT CASES, THANJAVUR.
- 2 THE INSPECTOR OF POLICE,
NIBCID, NAGAPATTINAM POLICE STATION,
NAGAPATTINAM, THANJAVUR DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON,
PUZHAL, CHENNAI.
- 4 ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr. K.PRABHAKARAN Advocate SR.No.5764

PS/JC/SAR-4/01.04.2019/2P/6C

ORDER
IN
CRL OP(MD) No.4702 of 2019
Date :28/03/2019