



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

Wednesday, the Sixth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.19609 of 2018

ERUDI KUMAR RAJA

... PETITIONER / ACCUSED No. 1

Vs

STATE REP. BY ITS,
THE INSPECTOR OF POLICE,
NIB CID, DINDIGUL,
DINDIGUL DISTRICT.
(CRIME NO. 153 of 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.JEGADEESH PANDIAN 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 petitioner was arrested and remanded to judicial custody since 03.11.2017 for the offences punishable under Sections 8 (c) r/w 20(b) (ii) (c) and 25 of NDPS Act in Crime No.153 of 2017 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that while the respondent police was patrolling with police team on 03.11.2017 at about 09.10 a.m., the petitioner was transporting 150 kgs of Ganja in 6 pockets as illegally in his Honda Civic Car bearing Reg.No. AP 31 AY 6159. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and the allegation levelled against the petitioner is false and at the time of occurrence, the respondent police not at all followed the provision under Sections 42 and 50 of the NDPS Act. Accordingly, the petitioner prayed for bail. The learned counsel for the petitioner further contended that the petitioner is ready to abide by any of the conditions that is to be imposed by this Court.



4.The learned Additional Public Prosecutor would submit that the contraband totally 150 kgs was recovered from the petitioner while he was transporting the same from Andhrapradesh State to Kerala State and the petitioner is native of other State. If he is released on bail, he will abscond. Hence, he vehemently opposed for granting bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the contraband recovered from the petitioner, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed. The learned Principal Special Court for EC and NDPS Act Cases, Madurai is directed to dispose of the case in C.C.No.91 of 2018 within a period of two months from the date of receipt of a copy of this order.

sd/-
06/02/2019

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

TO

- 1 THE PRINCIPAL SPECIAL JUDGE
FOR EC AND NDPS CASES, MADURAI
- 2 THE INSEPCTOR OF POLICE
NIB CID, DINDIGUL,
DINDIGUL DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER
IN
CRL OP(MD) No.19609 of 2018
Date :06/02/2019

MSI/VR/SAR-III/14.02.2019-2P/5C