



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

Thursday, the Seventh day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.23035 of 2018

SURESH

... PETITIONER / ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE,
NIBCID, KANAYAKUMARI,
KANYAKUMARI DISTRICT.
(IN CRIME NO. 61 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.RAMU 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, who was arrested and remanded to judicial custody since 17.12.2017 for the offence punishable under Sections 8 (c) r/w 20 (b), (C), and Section 25 of N.D.P.S.Act, in Crime No.61 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 17.12.2017 at about 12.30 p.m. based on a secrete information, the respondent police conducted a vehicle check up near Moopandhal Essaki Temple and at about 3.45 p.m. a car viz., Toyota Etios Liva, Silver Colour, bearing Registration No.TN-37-CA09297, passed without stopping. The car was chased and stopped by the respondent and found 72 kgs of Ganja in two white bags, in the car and arrested the accused and seized the contraband. Hence, the complaint.

3.The learned for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Accordingly, he prayed for bail.

4.The learned Additional Public Prosecutor would submit that the contraband is commercial quantity and the petitioner has already moved before the Court for bail and the same were dismissed and now the charge sheet has been filed before the Additional District



Judge, Special Court for EC & NDPS Act Cases, Madurai and the same was taken on file as C.C.No.176 of 2018.

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 Judge, Special Court for EC & NDPS Act Cases, Madurai, is directed to expedite the trial and dispose of the case within a period of four months from the date of receipt of a copy of this order.

sd/-
07/02/2019

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

TO

- 1 THE ADDITIONAL DISTRICT JUDGE,
SPECIAL COURT FOR EC & NDPS ACT CASES,
MADURAI.
- 2 THE SUPERINDENT,
CENTRAL PRISON, MADURAI.
- 3 THE INSPECTOR OF POLICE
NIBCID, KANAYAKUMARI, KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

PS/JC/SAR-4/15.02.2019/2P/5C

ORDER
IN
CRL OP(MD) No.23035 of 2018
Date :07/02/2019