

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 14087 of 2020

Jegan,

S/o.Mayandi

... Petitioner/1st Accused

Vs.

The State represented by,
The Inspector of Police,
Narcotics Intelligence Bureau CID,
Coimbatore.

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail in Crime No. 140 of 2019, on the file of the respondent police.

For Petitioner : Mr.N.Berlin Prabhu

For Respondent : Mr.T.Shunmugarajeswaran

Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 27.08.2019 for the offences punishable under Sections 8 (c), 20(b)(ii)(C) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.140 of 2019, on the file of the respondent police, seeks bail.

2 The case of the prosecution is that the petitioner along with another accused was found to be in possession of 21 kgs of Ganga and on seeing police, another accused had ran away from the scene of occurrence. Hence, the complaint.

3 The learned counsel appearing for the petitioner would submit that this is the second application for bail and that the petitioner was arrested on 27.08.2019 and that he is in prison for more than one year. He would submit that the earlier application for bail filed on behalf of the petitioner in Crl.O.P.No.6473 of 2020 was dismissed on 19.03.2020 with a direction to the learned Presiding Officer, Essential Commodities Act cases/Additional District Judge, Coimbatore, to complete the trial in C.C.No.18/2020, within a period of three months from the next hearing i.e., 23.03.2020. Hence, he

4 The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the respondent were ready to start the trial however, due to Covid- 19 pandemic, Courts were not functioning and thereby, the Trial Court was unable to complete the trial and the case now stands to be posted on 12.09.2020 (day after tomorrow) for cross-examination of LW1. He would further submit that there are totally eight witnesses and the respondent police are ready to get along with the trial day to day basis. Hence, he opposed to grant bail to the petitioner.

5 Taking into consideration the acts and submissions made by the learned counsels and considering the fact that the Trial Court was not able to complete the trial due to Covid-19 pandemic, this Court is not inclined to grant bail to the petitioner, however, a direction is issued to the trial Court to complete the trial as expeditiously as possible.

6 With the above direction, this Criminal Original Petition stands dismissed.

-sd/-

10/09/2020

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 JUDICIAL MAGISTRATE,
NO.V, COIMBATORE

2 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
NARCOTICS INTELLIGENCE BUREAU CID,
COIMBATORE.

CC to M/S.N.BERLIN PRABHU Advocate on payment of necessary charges

CRL OP.14087/2020

Date :10/09/2020