



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

Date : 20/03/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.4959 of 2020

Rani

... Petitioner/Accused No.3

Vs

R1. The State represented by
The Inspector of Police,
Kannivadi P.S,
Dindigul District,
(Crime No.147 of 2019).

**R2. THE SUPERINTENDENT OF POLICE,
DINDIGUL DISTRICT.**

... Respondent/Complainant

**(The Superintendent of Police,
Dindigul district suo motu impleaded
vide order dated 20.03.2020 in
CRL OP(MD) No.4959/2020)**

For Petitioner : M/s.M.Jagadeesh Pandian,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Criminal Side)

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

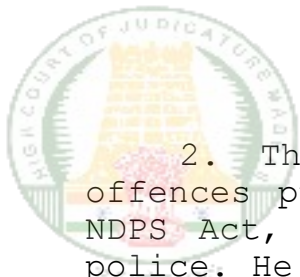
PRAYER :-

For Bail in Crime No.147 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal Side) appearing for the respondent.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The petitioner is in custody since 06.06.2019 for the offences punishable under sections 8(c) r/w 20(b)(ii)(C) and 25 of NDPS Act, in Crime No.147 of 2019 on the file of the respondent police. He seeks bail.

WEB COPY

3. The learned Government Advocate (Criminal side) pointed out that the petitioner is having three previous cases of the same nature. The case involves commercial quantity. Therefore, the second limb of Section 37 of the NDPS Act will not be satisfied in this case.

4. The petitioner will be at liberty to file a fresh petition, if the instructions given by the learned Government Advocate (Criminal side) that the petitioner is having cases of the same nature turns out to be incorrect.

5. The Superintendent of Police, Dindigul District, is *suo motu* impleaded as the second respondent in this case.

6. It is seen that some of the co-accused came out on statutory bail. The case was registered as early as on 06.06.2019. Till date, final report has not been filed. If the final report is not filed in time, the petitioner will also come on statutory bail.

7. The Superintendent of Police, Dindigul District will call for explanation as to why the final report was not filed in time. The Superintendent of Police will file a status report before this Court within 45 days as regards the action taken by him pursuant to this direction.

8. With this direction, this criminal original petition stands dismissed.

sd/-
20/03/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE SUPERINTENDENT,
FEMALE CENTRAL PRISON,
MADURAI.



2. THE SUPERINTENDENT OF POLICE,
DINDIGUL DISTRICT.
3. THE INSPECTOR OF POLICE,
KANNIVADI PS.
DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.4959 of 2020
Date :20/03/2020

RMI
SRS/ JC/ SAR-II/ 19.05.2020/ 3P/5C