



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

Dated : **25/08/2020**

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL.O.P.(MD) . No.6916 of 2020

V.Radha : Petitioner/Sole Accused

Vs.

State represented by,
The Inspector of Police,
NIB CID Theni, Theni District.
Crime No.22 of 2020.

: Respondent/Complainant

For Petitioner : Mr.G.S.Mahesh, Advocate.
For Respondent : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

PETITION FOR BAIL UNDER SECTION 439 OF THE CODE OF CRIMINAL
PROCEDURE.

PRAYER :-

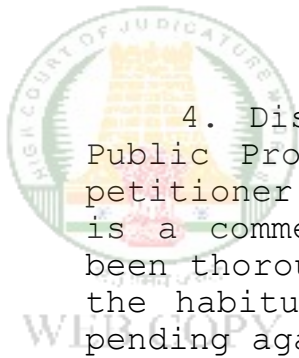
For Bail in Crime No.22 of 2020 on the file of the respondent
police.

ORDER : The Court made the following order :-

The petitioner, who is the sole accused in Crime No.22 of 2020
on the file of the respondent police for the offences punishable
under Sections 8(c) r/w 20(b), (ii) (C) of the Narcotic Drugs and
Psychotropic Substances Act, 1985, was arrested and remanded to
judicial custody on 29.02.2020, and seeking bail, the present
petition has been filed.

2. The case of the prosecution is that the petitioner herein
was found in possession of 22 Kilograms of Ganja.

3. The learned counsel appearing for the petitioner submitted
that there is a lot of mandatory violations of Section 42 and 50 of
the Narcotic Drugs and Psychotropic Substances Act, 1985, and the
petitioner is in jail from 29.02.2020 and no previous case is
pending against the petitioner. Contending so, the petitioner prays
for bail.



4. Disputing the same, Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner was found in possession of 22 Kilograms of Ganja, which is a commercial quantity and all the mandatory requirements have been thoroughly followed in this case. That apart, the petitioner is the habitual offender and three cases for the similar offence are pending against him.

5. I have considered the rival submissions and also perused the records carefully.

6. From the perusal of the materials available on record, it could be seen that no ground is made out to believe that the petitioner is not guilty of any offence. That apart, it is an admitted fact that the petitioner is the habitual offender and as of now, he is having three previous cases to his credit. In the said circumstances, if he is released on bail, he will definitely indulge in similar kind of offence. Thus, I am **not** inclined to grant bail to the petitioner. Hence, the present petition is **dismissed**. However, as the investigation has been completed and charge sheet has also been laid and the matter is now pending trial, the Trial Court is directed to expedite the trial and dispose of the case, on merits and in accordance with law, as expeditiously as possible.

sd/-
25/08/2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE INSPECTOR OF POLICE,
NIB CID THENI, THENI DISTRICT.
2. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.6916 of 2020
Date :25/08/2020