



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

Date : 11/02/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.2158 of 2021

K.Venkataraman

... Petitioner/Accused No.2

Vs

The State Represented by,
The Inspector of Police,
Adiramapattinam Police Station,
Crime No.50/2020.

... Respondent/Complainant

For Petitioner : Mr.N.Kishore,
Advocate.

For Respondent : M.Chandrasekaran,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.50/2020 on the file of the Respondent police.

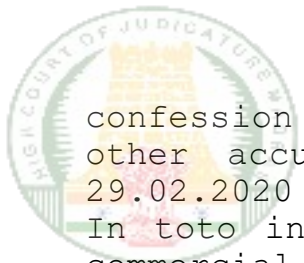
ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 27.02.2020 for the offences punishable under Section 8(c) r/w 20(b)(ii)(c), 25, 29(1) of NDPS Act, 1985, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused were found in possession of 176kg Ganja. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner was arrested on 27.02.202, he has been falsely implicated in this case as arrayed as an accused. He would further submit that the petitioner is not having any previous case and the petitioner is a family man and he is a heart patient and further, he is not aware of the co-accused in this case. Hence, he prayed for granting bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that totally there are four accused in this case and the petitioner herein is arrayed as A-2 and A-1 and A-2 were arrested on 27.02.2020. He further submitted that based on the



confession given by the co-accused, the specific role played by the other accused came to light. Thereafter A-4 was arrested on 29.02.2020 and A-3 was arrested 03.03.2020 and recovery was made. In toto in this case 176 kg of Ganja had been seized, which is a commercial quantity. In this case seven witnesses have been examined and the case is now posted for 313 of Cr.P.C., questioning on 12.02.2021. The trial is at penultimate stage. If the petitioner was granted bail, he would abscond and the proceedings before the Lower Court would get stalled and hence, he strongly opposed to grant bail to the petitioner.

5.From the perused materials, it is seen that in this case, total contraband is 176 kg of Ganja, which is a commercial quantity and the statutory presumption is also against the petitioner. Further, in this case, the trial commenced and seven witnesses have been examined and the case is at the stage of 313 of Cr.P.C., questioning and the trial is to be completed shortly.

6.In view of the same, this Court is not inclined to grant bail to the petitioner. Hence, this petition stands dismissed.

sd/-

11/02/2021

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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 SUPERINTENDENT, CENTRAL PRISION, TRICHY
- 2.THE INSPECTOR OF POLICE,
ADIRAMAPATTINAM POLICE STATION, THANJAVUR DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.2158 of 2021

Date :11/02/2021

SJI

<https://hccs.judges.gov.in/hccs-services> 2.2021 : 2P/4C