



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Pronounced on : 23.12.2021

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). Nos.5093, 5097, 10824, 12208, 12388, 12442, 13214, 13334, 13796, 14518, 14860, 14823, 16796, 16839 and 17349 of 2021
and

CRL OP(MD).Nos.12827, 12880, 14603, 16370, 16378, 16389 and 17114 of 2021

1.Muruganandham	
2. Thaiyumanasamy	... Petitioners /Accused No.6, 7 in CRL OP(MD). 5093/ 2021
Lakshmanan	... Petitioner/Accused No.9 in CRL OP(MD). 5097/ 2021
Ranjithkumar	... Petitioner/Accused No.2 in CRL OP(MD). 10824/ 2021
Aruldoss	... Petitioner/1 st Accused in CRL OP(MD). 12208/ 2021
Sakthi @ sakthiyendran	... Petitioner/Accused No.3 in CRL OP(MD). 12388/ 2021
Kasirajan @ Kasi	... Petitioner/Accused No.4 in CRL OP(MD). 12442/ 2021
Pandi	... Petitioner/Accused No.11 in CRL OP(MD). 13214/ 2021
Karthi @ Karthikeyan	... Petitioner/Accused No.6 in CRL OP(MD). 13334/ 2021
R.Jagateesan	... Petitioner/Accused No.4 in CRL OP(MD). 13796/ 2021
Jeyakumar	... Petitioner/Accused No.1 in CRL OP(MD). 14518/ 2021
Ramayee	... Petitioner/Accused No.1 in CRL OP(MD). 14860/ 2021
C.Sivakalai	... Petitioner/Accused No.10 in CRL OP(MD). 14823/ 2021



Thanthiran

... Petitioner/Accused No.2
in CRL OP(MD). 16796/ 2021

Pathmavathi

... Petitioner/Accused No.5
in CRL OP(MD). 16839/ 2021

S.Vairapandi@kuttaiyan

... Petitioner/Accused No.2
in CRL OP(MD). 17349/ 2021

Alagu Meena

... Petitioner/Accused No.4
in CRL OP(MD). 12827/ 2021

Imam Hussain

... Petitioner/Accused Rank Not Known
in CRL OP(MD). 12880/ 2021

1. Pugal

2. Anbalagan

... Petitioners/ACCUSED NO.5 & 6
in CRL OP(MD). 14603/ 2021

Silambarasan

... Petitioner/Accused No.1
in CRL OP(MD). 16370/ 2021

1. M.Prabakaran

2. O.Mokkamayan

... Petitioners/Accused No.2 & 3
in CRL OP(MD). 16378/ 2021

Gowtham

... Petitioner/Accused No.2
in CRL OP(MD). 16389/ 2021

John Justin @ Chatni

... Petitioner/Accused No.3
in CRL OP(MD). 17114/ 2021**- Vs. -**

The State rep by
The Inspector of Police
Athoor Police Station,
Thoothukudi District.
Crime No.137 of 2019

... Respondent/Complainant
in CRL OP(MD). 5093 & 5097 2021

State rep by
The Inspector of Police
Thirumangalam Town Police Station,
Madurai District.
Cr.No.164 of 2021

... Respondent/Complainant
in CRL OP(MD). 10824/ 2021

The State rep by
The Inspector of Police
NIB-CID, Ramanathapuram.
Cr.No. 16 of 2020.

... Respondent/Complainant
in CRL OP(MD). 12208/ 2021



State rep by
The Inspector of Police
Keerathurai Police Station,
Madurai City.
Cr.No.413 of 2021

... Respondent/Complainant
in CRL OP(MD). 12388/ 2021

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State represented by
The Inspector of Police
Koodal Pudur Police Station, Madurai
(Crime No. 1388 of 2020)

... Respondent/Complainant
in CRL OP(MD). 12442/ 2021

State represented by
The Inspector of Police
Athoor Police Station,
Thoothukudi District.
Cr No.137 of 2019.

... Respondent /Complainant
in CRL OP(MD). 13214/ 2021

State
The Inspector of Police
Chatrapatti Police Station,
Dindigul District.
Crime No. 157 of 2021

... Respondent/Complainant
in CRL OP(MD). 13334/ 2021

State represented by
The Inspector of Police
Rayapanpatti.P.S,
Theni District.
(Cr.No.24 of 2021)

... Respondent/Complainant
in CRL OP(MD). 13796/ 2021

State represented by
The Inspector of Police
Sindupatty Police Station,
Madurai City.
Crime No.1028 of 2020.

... Respondent/Complainant
in CRL OP(MD). 14518/ 2021

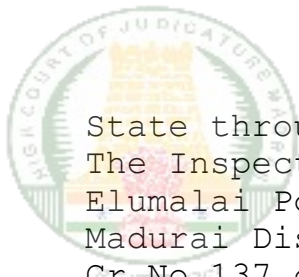
The State rep by
The Inspector of Police
Melur Police Station,
Madurai District.
(Crime No. 195 of 2021)

... Respondent/Complainant
in CRL OP(MD). 14860/ 2021

State Represented by
The Inspector of Police
Athoor Police Station,
Thoothukudi

<https://hcservices.ecourts.gov.in/hcservices/>
(Crime No. 137 of 2019)

... Respondent/Complainant
in CRL OP(MD). 14823/ 2021



State through
The Inspector of Police
Elumalai Police Station,
Madurai District.
Cr.No.137 of 2021

... Respondent/Complainant
in CRL OP(MD). 16796/ 2021

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State rep by
The Inspector of Police
NIB-CID, Ramnad
(Crime No. 16 of 2020)

... Respondent/Complainant
in CRL OP(MD). 16839/ 2021

State represented by
The Inspector of Police
Kannivadi Police Station,
Dindigul District,
Cr.No. 492 of 2021.

... Respondent/Complainant
in CRL OP(MD). 17349/ 2021

State rep by
The Inspector of Police
Austinpatti Police Station,
Madurai District.
Cr.No.221 of 2021

... Respondent /Complainant
in CRL OP(MD). 12827/ 2021

State Represented by
The Inspector of Police
Mandapam Police Station,
Ramanathapuram District.
Cr.No.203 of 2021

... Respondent/Complainant
in CRL OP(MD). 12880/ 2021

State rep by its
The Inspector of Police
Cumbum North Police Station,
Theni District.
(Crime No.631 of 2021)

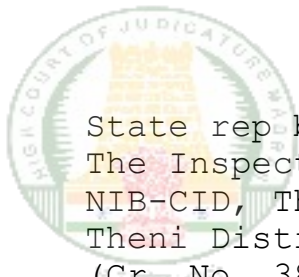
... Respondent/Complainant
in CRL OP(MD). 14603/ 2021

State rep by
The Inspector of Police
NIB-CID, Theni,
Theni District.
(Crime No.38/2021)

... Respondent/Complainant
in CRL OP(MD). 16370/ 2021

State rep by
The Inspector of Police
Vilampatti Police Station,
Dindigul District.

... Respondent/Complainant
in CRL OP(MD). 16378/ 2021



State rep by
The Inspector of Police
NIB-CID, Theni,
Theni District.
(Cr. No. 38/2021)

... Respondent/Complainant
in CRL OP(MD). 16389/ 2021

State rep by
The Inspector of Police
Kanyakumari Police Station,
Kanyakumari District
(Crime No. 353 of 2021)

... Respondent/Complainant
in CRL OP(MD). 17114/ 2021

For Petitioners : Mr.M.Linga Durai,
Advocate.

in CRL OP(MD). 5093 & 5097 2021

: Mr.Jegadeesh pandian, M. Advocate
in CRL OP(MD). 14603,14823, 13214 & 14518 2021

: Mr.Sathish Rajkumar.E, Advocate
in CRL OP(MD). 16378/ 2021

: Mr.M.Suri, Advocate
in CRL OP(MD). 17114/ 2021

: Mr.A.Balaji, Advocate,
in CRL OP(MD). 12880/ 2021

: Mr.S.Balaji, Advocate
in CRL OP(MD). 16389/ 2021

: Mr.Mr.S.Balaji, Advocate for
Mr.B.Anandan, Advocate
in CRL OP(MD). 16370/ 2021

: Mr. S.P.Prakash, Advocate
in CRL OP(MD). 13334/ 2021

: Mr. R.Shankar Ganesh, Advocate
in CRL OP(MD). 12827/ 2021

: Mr.V.Kathirvelu Senior Counsel for
Mr.K. Prabu
in CRL OP(MD). 13796& 17349 2021

: Mr.Niranjan S. kumar, Advocate
in CRL OP(MD). 12442/ 2021

: Mr.P.Karuppa Samy Pandian, Advocate for
Mr.J.Vijayaraja, Advocate
in CRL OP(MD). 12388/ 2021



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: Mr.T.Lenin Kumar, Advocate
in CRL OP(MD). 12208/ 2021

: Mr.S.Muniyandi, Advocate,
in CRL OP(MD). 14860/ 2021

: Mr.S.Selvakumar, Advocate
in CRL OP(MD). 16796/ 2021

: Mr.K.C. Maniyarasu, Advocate
in CRL OP(MD). 16839/ 2021

: Mr.M.Vivek Kumar, Advocate,
in CRL OP(MD). 10824/ 2021

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor
in all the petitions

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

Prayer in CRL OP(MD). 5093/ 2021 :

For Bail in Crime No.137 of 2019 on the file of the
Respondent Police.

Prayer in CRL OP(MD). 5097/ 2021 :

For Bail in Crime No.137 of 2019 on the file of the
Respondent Police.

Prayer in CRL OP(MD). 10824/ 2021 :

For bail in Crime No.164 of 2021 on the file of the
Respondent police.

Prayer in CRL OP(MD). 12208/ 2021 :

For Bail in Crime No.16 of 2020 on the file of the
Respondent Police.

Prayer in CRL OP(MD). 12388/ 2021 :

For Bail in Crime No.413 of 2021 on the file of the
Respondent police.

Prayer in CRL OP(MD). 12442/ 2021 :

For Bail in Crime No. 1388 of 2020 on the file of the
respondent police.



Prayer in CRL OP(MD). 13214/ 2021 :

For Bail in Crime No.137 of 2019 on the file of the Respondent Police.

Prayer in CRL OP(MD). 13334/ 2021 :

For Bail in Crime No. 157 of 2021 on the file of the respondent police

Prayer in CRL OP(MD). 13796/ 2021 :

For Bail in Crime No. 24 of 2021 on the file of the respondent police.

Prayer in CRL OP(MD). 14518/ 2021 :

For Bail in Crime No.1028 of 2020 on the file of the Respondent Police.

Prayer in CRL OP(MD). 14860/ 2021 :

For Bail in Crime No. 195 of 2021 on the file of the respondent police.

Prayer in CRL OP(MD). 14823/ 2021 :

For Bail in Crime No. 137 of 2019 on the file of the respondent police.

Prayer in CRL OP(MD). 16796/ 2021 :

For Bail in Crime No. 137 of 2021 on the file of the Respondent police.

Prayer in CRL OP(MD). 16839/ 2021 :

For Bail in Crime No. 16 of 2020 on the file of the respondent police.

Prayer in CRL OP(MD). 17349/ 2021 :

For Bail in Crime No. 492 of 2021 on the file of the respondent police.

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

Prayer in CRL OP(MD). 12827/ 2021 :

For Anticipatory Bail in Crime No.221 of 2021 on the file of the Respondent police.



Prayer in CRL OP(MD). 12880/ 2021 :

For Anticipatory bail in Crime No.203 of 2021 on the file of the Respondent police.

Prayer in CRL OP(MD). 14603/ 2021 :

For Anticipatory Bail in Crime no.631 of 2021 on the file of the Respondent Police.

Prayer in CRL OP(MD). 16370/ 2021 :

For the Anticipatory bail in the Crime No.38/2021 on the file of the Respondent police.

Prayer in CRL OP(MD). 16378/ 2021 :

For the Anticipatory bail in the Crime No.406/2021 on the file of the Respondent police.

Prayer in CRL OP(MD). 16389/ 2021 :

For Anticipatory bail in Crime No. 38 of 2021 on the file of the respondent police

Prayer in CRL OP(MD). 17114/ 2021 :

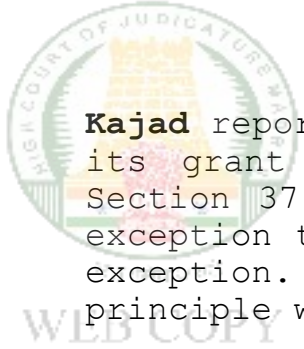
For Anticipatory Bail in Crime No. 353 of 2021 on the file of the respondent police

ORDER : The Court made the following common order :-

The Narcotic Drugs and Psychotropic Substances Act, 1985 commonly referred as NDPS Act, is the primary piece of legislation of our Country with respect to Narcotic Drugs and it is the enactment under which all cases relating to possession, consumption and sale of Narcotic Drugs are prosecuted in India.

2.The NDPS Act came into focus more than ever before, due to the recent Aryankhan's case. The Hon'ble Supreme Court as well as the different Courts across the country have pointed out that the NDPS Act contains draconian provision, which provides very serious and stringent punishment. But at the same time, the very purpose and object of the Act is only to remove the drug menace from society and it has been enacted to Counter the very serious situation. It is also generally said that implementation of the said Act is draconian, but not the Act is.

3.In criminal jurisprudence, it is generally said that bail is the rule and jail is an exception. But in NDPS Act cases, in the words of the Hon'ble Supreme Court in **State of Madhya Pradesh vs.**



Kajad reported in **2001 7 SCC 673**, "Negation of bail is the rule and its grant an exception under sub clause (ii) of clause (b) of Section 37(1)." The above provision can only be considered as an exception to the general rule that bail is the rule and jail is the exception. Hence, for the offence covered under the NDPS Act, the principle would be jail is the rule and the bail is an exception.

4. In all the cases above referred, the learned counsels appearing for the petitioners have taken a stand that the Investigating Agency has not applied the mandatory procedures contemplated under Sections 42 and 50 of the NDPS Act. But the Hon'ble Apex Court has already settled the legal position, that the compliance or non compliance; adequate compliance or substantial compliance of the mandatory procedures contemplated under Sections 42 and 50 of the NDPS Act can only be gone into and decided only at the Trial stage and not at the Bail stage. Hence, the arguments advanced by the learned counsel for the petitioners in the above cases, cannot be gone into in the present petitions.

5. The next main argument advanced in most of the petitions, now under consideration is that the Investigating Agencies have implicated the petitioners in the respective cases only on the basis of the confession statement alleged to have been taken from the co-accused and in the absence of any other material or evidence to connect the said petitioners with the cases, they are certainly entitled to be enlarged on bail.

6. It is necessary to refer the judgment of Hon'ble Supreme Court in **Mohammed Fasrin Vs. The State Rep. By The Intelligence Officer** reported in **(2019) 8 SCC 811**.

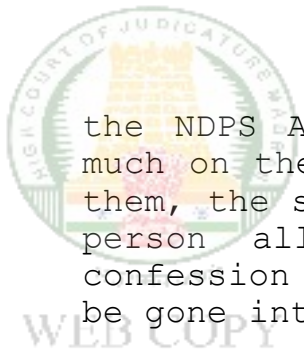
"It is also well settled that a confession, especially a confession recorded when the accused is in custody, is a weak piece of evidence and there must be some corroborative evidence. The confession of the co-accused, which was said to be a corroborative piece of evidence, has been discussed above and is of no material value. Therefore, other than the two confessional statements - one of the co-accused and the other of the accused, the prosecution has gathered no evidence to link the appellant with the commission of the offence."

7. Recently, the Hon'ble Supreme Court in **Tofan Singh Vs. The State Of Tamil Nadu, [2021 4 SCC 1]**, has answered the reference as follows:

(i) The officers, who are invested with powers under Section 53 of the NDPS Act or Police officers within the meaning of Section 25 of the Evidence Act. As a result of which, any confessional statement made to them would be default under the provisions of Section 25 of the Evidence Act and cannot be taken into account in

<https://hccservices.tn.gov.in/hccservices/> the accused under the NDPS Act.

(ii) The statement recorded under Section 67 of NDPS Act cannot be used as a confessional statement in the trial of an offence under



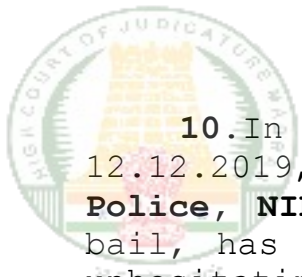
the NDPS Act. As already pointed out, the prosecution has relied much on the confession statement of the co-accused and according to them, the same is very much sufficient enough to implicate the other person allegedly involved in the occurrence and whether the confession statement can be admitted in the evidence or not cannot be gone into at this stage.

8. A learned Single Judge of this Court in **Kumar @ Ranjithkumar Vs.State** reported in **2019 (2) MWN (Cr.) 242**, after referring to the decisions of the Hon'ble Supreme Court has observed thus:

"12.A careful reading of the above judgments makes it very clear that a confession can be made admissible in evidence under Section 67 of the Act as a substantive evidence as against the maker of the statement. But, in respect of the co-accused, the said statement can never be treated as a substantive evidence. At the most, it can be considered as a relevant evidence under Section 30 of the Indian Evidence Act. On the touch stone of the law laid down by the Hon'ble Supreme Court, the confession of the co-accused can, at the best, be used or utilized in order to lend assurance to the Court. In the absence of a substantive evidence, the Court cannot proceed to convict the accused, purely on the statement of co-accused. In the instant case, the investigation has been completed and a final report has also been filed and the only material that is available against the petitioners is the statement of the co-accused and there is no other material. Under such circumstances, this Court is able to satisfy itself that there are reasonable grounds for believing that the petitioners are not guilty of the offence. That apart, there is no material to show that the petitioners will commit any offence, while on bail. 13. Therefore, this Court is satisfied that the petitioners have fulfilled the twin requirements of Section 37 of the NDPS Act and are therefore, entitled to be granted bail. ..."

9. Another learned Single Judge of this Court in **Crl.OP (MD) No.13819 of 2021**, dated 24.09.2021, [**P.Sakthivel Vs. The State rep. by the Inspector of Police, Authoor Police Station, Thoothukudi District**], has held as follows:

"In support of this allegation, except the confession of the petitioner himself and the co-accused, there is absolutely no other material. It is too well settled that on the strength of such statement of confession, it is not possible to render a finding on the guilt of the accused. Since there is no other material to link the petitioner to the crime in question, I have to necessarily give a finding that the petitioner is not likely to commit the offence in question."



10. In another decision in CrI.OP(MD)No.15707 of 2019, dated 12.12.2019, [**Ayyampillai Vs. The state rep.by The Inspector of Police, NIB-CID, Madurai**] the learned Single Judge, while granting bail, has observed "Applying the principle laid down above, I can unhesitatingly come to the conclusion that the possibility of the petitioner being convicted is not just bleak but zero. In other words, there is absolutely no possibility of the petitioner being convicted."

11. Thereafter, another learned Single Judge of this Court, in batch of petitions for bail as well as anticipatory bail in **Mokkaraj @ Mokkaian and others Vs. The Inspector of Police, Avaniapuram Police Station, Madurai City and others**, [CrI.OP(MD)Nos.1607 of 2021 and batch], after referring to the judgments of Hon'ble Supreme Court as well as the High Courts, has held as follows :

"27.6. If the prosecuting agency has not collected any other material to substantiate the confession of the co-accused, it may not be proper to carry on with such confession statement alone, which can be retracted at any point of time, to deny the bail applications. Therefore, this Court is inclined to entertain the applications, if the investigating agency has not collected any materials other than the confession statement of the co-accused."

12. No doubt, the learned Additional Public Prosecutor has relied on the decision of another learned Single Judge of this Court in **Udhayavan Vs. State represented by the Inspector of Police, NIB CID, Madurai District**, in CrI.OP(MD)No.15211 of 2020, dated 30.04.2021, while dismissing the bail application, has held as follows:

"34. The aforesaid pronouncement of the High Courts and the Hon'ble Supreme Court makes it clear that,

1. the issue relating to compliance of mandatory procedures under the NDPS Act can be gone into only in the trial and not at the stage of considering the bail.

2. If the confessional statement of the co-accused is relevant under section 27 of Indian Evidence Act for the discovery of fact, which led to the implication of the co-accused.

3. Section 35 permits the court to presume the existence of culpable mental state and it is for the accused to prove that he had no such mental state.

4. Section 54 makes it imperative for the accused to account for the possession of any narcotic drug or psychotropic substance or controlled substance otherwise it can be presumed that the accused has committed an offence relating to the things aforesaid."

<https://hcservices.courts.gov.in/hcservices> 13. As already pointed out, the main contention of the prosecution is that the confession statement recorded under Section 67 of NDPS Act is admissible in evidence, or not ; is a matter to be



gone into and decided at the trial, that since the statement of the co-accused discloses the involvement of the other accused, the confession statement cannot be rejected or discarded while deciding the bail petition and that the case of the prosecution cannot be disbelieved at this point of time.

14.As already pointed out, the Hon'ble Apex Court has specifically held that the Officers, who are invested with powers under Section 53 of NDPS Act are to be considered as Police Officers, as referred in Section 25 of the Indian Evidence Act.

15.Section 25 of the Indian Evidence Act contemplates that no confession made to a Police Officer shall be proved as against a person accused of any offence. The very object of Section 25 is to ensure that the person accused of offence would not be induced by threat, coercion or force to make a confessional statement and the Police Officer is to make every effort to collect or gather the evidence with regard to the commission of offence, but not the confession while the accused is under custody.

16.It is settled law that statements made by an accused before Police Officer, which amount to confessional statement is clearly barred under Section 25 of the Indian Evidence Act and the only exception is under Section 27 of the Indian Evidence Act, which provides that any portion of the information in the confession statement, which leads to discovery of any new fact or thing can be proved.

17.Applying the legal dictum laid down by the Hon'ble Supreme Court in **Tofan Singh's** case any statement recorded under Section 67 of NDPS Act cannot be treated as a confession statement in the trial for the offence under the provisions of NDPS Act. Since the statement under Section 67 of the NDPS Act cannot be treated and relied as a confession statement in the trial itself, then the very question of considering and deciding the validity of the said confession statement at the trial does not arise at all. Moreover, in the absence of any recovery from the accused, now seeking bail, the confession of co-accused implicating the present accused cannot be relied or looked into, so far as the present accused is concerned.

18.Section 37 of the NDPS Act creates bar for grant of bail whenever the recovery is of commercial in nature and also when the offence is under Section 27-A of the NDPS Act.

Perusal of the provisions of Section 37 of NDPS Act would show that although there is a bar created for grant of bail but a departure can be made in case where the Court is satisfied that there are reasonable grounds for believing that he is not guilty of such an offence and that he is not likely to commit any offence while on bail, then the Court can always consider the grant of bail in that regard. The Hon'ble Supreme Court in the case of **State of Kerala and another vs. Rajesh and another**, reported in **2020 SCC**

Online SC 81, has observed;



"20. The scheme of Section 37 reveals that the exercise of power to grant bail is not only subject to the limitations contained under Section 439 of the CrPC, but is also subject to the limitation placed by Section 37 which commences with nonobstante clause. The operative part of the said section is in the negative form prescribing the enlargement of bail to any person accused of commission of an offence under the Act, unless twin conditions are satisfied. The first condition is that the prosecution must be given an opportunity to oppose the application; and the second, is that the Court must be satisfied that there are reasonable grounds for believing that he is not guilty of such offence. If either of these two conditions is not satisfied, the ban for granting bail operates."

Bearing the above legal position in mind, let us consider the bail applications at first.

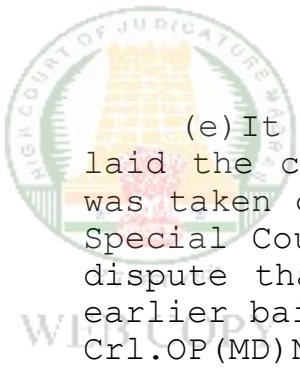
19.Cr1.OP(MD)Nos.5093, 5097, 13214 and 14823 of 2021 :

(a)The petitioners/accused Nos.6, 7, 9, 11 and 10, who were arrested and remanded to judicial custody in connection with the Crime No.137 of 2019 on the file of the Authoor Police Station, Tuticorin District for the alleged offence under Sections 8(c),20(b)(ii)(c) and 29(1) and 25 NDPS Act in Cr1.OP.(MD)Nos.5093 & 5097/2021 and under Sections 8(c) r/w 20(b)(ii)(c) 25 and 29 NDPS Act in Cr1.OP.(MD)No.13214/2021 and under Sections 8(c) r/w 20(b), (ii) (c) 25 and 29(i) (a) of NDPS Act in Cr1.OP(MD)No.14823/2021, seek bail.

(b)The case of the prosecution is that on 21.08.2019 at about 03.00 am, when the respondent police was on routine rounds, they intercepted a TATA ACE vehicle bearing Registration No.TN 04 AK 4762 at Authoor-Sernthapoomangalam Road, Near V.V.Minerals Company and found 294 kgs of Ganja in the said vehicle. Hence, the complaint.

(c) The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in the above case, that except the confession statement of the co-accused, there is no other materials available to implicate the petitioners and that they are in judicial custody from 21.08.2019 and that therefore, he prayed for grant of bail to the petitioners.

(d) The learned Additional Public Prosecutor would submit that A-11 used his Lorry for taking Ganja from Andrapradesh, that A6 used his cellphone and passed an information about the route of the vehicle and also escorted the contraband vehicle, that A7 used his car for escorting the contraband, that A9 was the purchaser of the entire contraband and that all the above accused were in constant touch with each other. He would further submit that the earlier applications of the petitioners for bail were already dismissed and there is no change in circumstances since the dismissal of the earlier petitions and that some of the accused are still absconding.



(e) It is not in dispute that the respondent police has already laid the charge sheet before the jurisdictional Court and the case was taken on file in C.C.No.97 of 2020 on the file of the Principal Special Court for EC and NDPS Act Cases, Madurai. It is also not in dispute that the learned Judge of this Court, while dismissing the earlier bail application of the accused A1, A3, A6 and two others in CrI.OP(MD)No.9066 of 2020 and batch, vide order dated 31.08.2020, considering the requisition of the respondent police, has directed the respondent to file a formal petition, seeking permission for conducting further investigation and also directed the trial Court to allow the same and that thereby permitted the respondent police to conduct further investigation.

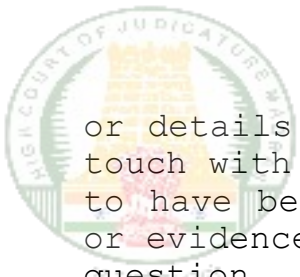
(f) It is also not in dispute that subsequently, the learned Single Judge has granted bail to the fourth accused in CrI.OP(MD) No.9998 of 2021, dated 13.08.2021; to the fifth accused in CrI.OP (MD)NO.13818 of 2021 and to the sixth accused in CrI.OP.(MD)No.13819 of 2021, dated 24.09.2021.

(g) The learned Additional Public Prosecutor would submit that as per the directions of the learned Single Judge, dated 31.08.2020, the respondent has filed the petition before the trial Court and got 30 days extension of time for conducting further investigation, that they came to know that the second accused Gilton was reported dead and hence, his Death Certificate was obtained and produced before the trial Court and that as per the orders of this Court, they have sent the cell phones recovered from the accused to the Forensic Laboratory and that since the extended period was over, they have again filed an application before the trial Court for extension of time to proceed with the further investigation.

(h) Admittedly, the only material now available against the petitioners is the confession statement given by some of the petitioners and by the co-accused. As already pointed out, the charge alleged against the A6 and A7 is that they had escorted the contraband vehicle and as against the A-11 is that he used his lorry for taking contraband from Andrapradesh.

(i) Admittedly, there was absolutely no recovery from the petitioners and the entire contraband was recovered from the first accused. It is also not in dispute that the accused 6, 7 and 11 are not having any previous cases for similar offence. Despite getting permission for further investigation, it is not the case of the prosecution that they have collected or gathered any other materials to implicate the accused 6, 7 and 11. Moreover, it is also not their case that they have filed any supplementary or additional charge sheet before the trial Court.

(j) As already pointed out, the petitioners were arrested on 21.08.2019 and in judicial custody for more than 2 years and four months. Though the prosecution has alleged that they have seized the mobile phones of the accused, they have not produced the call data



or details to show that the accused A6, A7 and A11 were in constant touch with the main accused. Except the confession statement alleged to have been taken from the co-accused, there is no other material or evidence to connect the accused A6, A7 and A-11 with the crime in question.

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(k) The learned Additional Public Prosecutor would submit that A9 was the purchaser of the entire contraband and A-10 had used his vehicle to transport the contraband. No doubt, except the confession statement of co-accused, there are no other materials available to connect the accused/A9 and A10 with the crime in question.

(l) Considering the fact that A9 and A10 are having previous case for similar offence in Crime No.60 of 2018 for the offence under the Narcotic Drugs and Psychotropic Substances Act, 1985 on the file of the Nagapattinam Police Station, this Court has no other option, but to say that the accused/A9 and A10 have miserably failed to satisfy the second condition that they are not likely to commit the offence after coming out on bail and as such, this Court is not inclined to grant bail to the accused A9 and A10. Hence, the petitions in CrI.OP(MD)Nos.5097 and 14823 of 2021 are liable to be dismissed.

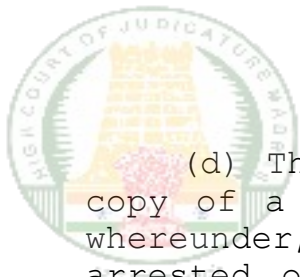
(m) As already pointed out, since the above three accused 6, 7 and 11 are not having any previous case for similar offence and in the absence of any evidence to show that the above accused had bad antecedents, this Court has no hesitation to hold that the petitioners have satisfied the twin conditions, envisaged under Section 37 of NDPS Act, that they are not guilty of such offence and that they are not likely to commit such offence, while on bail and hence, this Court is inclined to grant bail to the petitioners/ A6, A7 and A11 in CrI.OP(MD)Nos.5093 and 13214 of 2021.

20.CrI.OP(MD)No.10824 of 2021 :

(a) The petitioner/A2, who was arrested and remanded to judicial custody on 24.04.2021 for the alleged offence punishable under Sections 8(C), 20(b) (ii)(C) of NDPS Act, 1985, in Crime No.164 of 2021, on the file of the respondent Police, seeks bail.

(b) The case of the prosecution is that on 24.04.2021 at about 11.00 am, the respondent police intercepted an Auto bearing Registration No.TN 58 V 7848, near Maravangulam Bye-pass and recovered 30 kgs of Ganja in two bags.

(c) The learned counsel for the petitioner would submit that the petitioner was called for enquiry in connection with the case in Crime No.160 of 2021, registered against the petitioner and two others, that when the petitioner appeared before the respondent police for enquiry, they have concocted a story and falsely implicated the petitioner in the present case, that the petitioner is innocent and that he has not committed any offence as alleged by the prosecution.



(d) The learned counsel for the petitioner has also produced a copy of a news item published in Daily Thanthi, dated 24.04.2021, whereunder, it was reported that the petitioner and two others were arrested on the basis of the complaint lodged by one Pugalendhi, Supervisor of a Private Company, Kappaloor, alleging that the accused had snatched Rs.15,000/- from his packet and also his cell phone, assaulted him and criminally intimidated him.

(e) The learned Additional Public Prosecutor appearing for the respondent would submit that there are two accused in the present case, that 30 kgs of contraband was recovered from the Auto, in which, the petitioner was travelling with the first accused and that the respondent Police after completing the investigation, has already filed the charge sheet and the same was taken on file in C.C.No.365 of 2021 and is pending on the file of of the Special Court for EC & NDPS Act cases, Madurai.

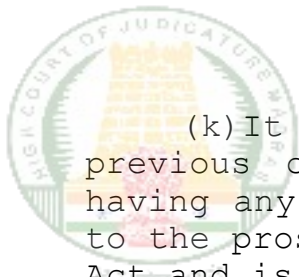
(f) It is not in dispute that the first FIR came to be registered in Crime No.160 of 2021 by the respondent Police, against three persons for the alleged offence under Sections 341, 394 and 506(ii) IPC. It is evident from the FIR in Crime No.160 of 2021, that the incident referred therein was alleged to have been occurred at 23.00 hours on 20.04.2021 and the complaint was lodged on 23.04.2021.

(g) It is also not in dispute that the second FIR in Crime No.164 of 2021 came to be registered for the offence alleged to have been committed at 11.30 hours on 24.04.2021. As already pointed out, the copy of newspaper produced by the petitioner would show that the petitioner and the first accused were arrested in connection with the complaint lodged by the said Pugalendhi and the Police is searching for the third accused.

(h) No doubt, the news reports are hearsay secondary evidence, which is legally inadmissible, but if the materials or evidence are produced to prove the contents of the facts stated in the news reports, the same can be gone into. As rightly contended, the evidence to prove the contents of the news reports can only be adduced at the trial and as such, the admissibility or the genuineness of the contents of news reports cannot be gone into at this stage. But, at the same time, for deciding the bail plea of the accused, the news item can be looked into, to see whether there is any *prima facie* case for the defence herein.

(i) As already pointed out, in the case on hand, in the newspaper, it has been specifically stated that the petitioner and the first accused were shown to be arrested only with respect to the case registered for the offence under IPC and not with respect to the case registered under NDPS case.

(j) No doubt, the prosecution has relied on the confession statement alleged to have been taken from the first accused.



(k) It is not in dispute that the petitioner is having four previous cases with respect to the property offence and is not having any previous cases with respect to the NDPS cases. According to the prosecution, the first accused has a previous case under NDPS Act and is having other cases registered under IPC.

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(l) It is also the specific case of the prosecution that 30 kgs of contraband was recovered from the Auto, in which, the petitioner and the first accused were allegedly travelling. According to the prosecution, the Auto in which, the contraband was transported is owned by the father of the first accused.

(m) As already pointed out by the learned counsel for the petitioner, perusal of the confession statement allegedly given by the first accused, which is running 11 pages would reveal that the first accused was involved in many cases relating to the property offence and in some cases, he was involved with petitioner and other accused and on the basis of the said confession statement, properties alleged to have been stolen or snatched were recovered and only in the last page of the confession statement i.e., 11th page, the transportation of Ganja was alleged.

(n) As rightly pointed out by the learned counsel for the petitioner, there was no recovery from the possession of the petitioner/second accused. As rightly contended by the learned counsel for the petitioner, since the arrest of the petitioner and the first accused was reported in the newspaper published on 24.04.2021, it can easily be inferred that the petitioner and the first accused would have been arrested prior to 24.04.2021.

(o) It is the specific contention of the defence that since the petitioner is having previous case for the property offence, the respondent police has purposely implicated the petitioner in NDPS cases. Considering the above facts and circumstances, this Court entertains a serious doubt in the case projected by the prosecution that the petitioner was arrested by intercepting the Auto at 11.30 am on 24.04.2021.

(p) In view of the serious doubt created on the basis of the case advanced by the prosecution, this Court is of the considered view that the petitioner has satisfied the twin conditions under Section 37 of NDPS Act, that the petitioner is not likely to have committed the offence in question and that he is not likely to commit any such offence, after coming out on bail. Hence, this Court is inclined to grant bail to the petitioner.

21.Cr1.OP(MD)Nos.12208 and 16839 of 2021:

(a) The petitioners/A1 and A5, who were arrested and remanded to judicial custody on 06.01.2021 and 30.05.2020 respectively, for the offence punishable under Sections 17(C) 22(c), 23(c) and 25 of NDPS Act 1958 r/w 39, 44, 48A, 49B, 50 and 51 of Wild Life Protection



Act, 1972, in Crime No.16 of 2020, on the file of the respondent Police, seek bail.

(b) The case of the prosecution is that on 06.06.2020, one Thangamuniyasamy, Sub-Inspector of Police, Ramanathapuram Town Police Station, lodged a complaint before the respondent Police, stating that he received discreet information that a scooter bearing Registration No. TN 70 AB 5503, has been kept parking under Karuvelam tree for the past one week, that the information revealed that the persons, who were arrested for the offence of possessing Narcotic Substances should have left the two wheeler abundantly, that when the complainant inspected the two wheeler, it was found in possession of 1 kg of Amphetamine, 1 kg of Heroin, 0.300 kg of Cocaine, 0.080 kg of Methamphetamine, P4 tablets (4) and one pair of Deer horn and on that basis FIR came to be registered.

(c) The prosecution's further case is that the petitioners and others were arrested in connection with the case in Crime No.168 of 2020 on the file of the Thiruvadanai Police for the offence under NDPS Act, that A2 and A3 have given confession statements that on 18.05.2020, after sending some Narcotics substances to Srilanka, A2 and A3 along with the petitioner came to Ilayankudi by carrying remaining substances and left the fifth accused at Nambuthalai Meenavar Colony and taken a scooter Bearing Registration No. TN 70 AB 5503 and parked the vehicle at Nerkundram Pirivu with the remaining substances, that on 20.05.2020, the first accused Aruldas was arrested by the police and hence, A2 and A3 had left the vehicle abundantly and that subsequently, the fifth accused was arrested on 30.05.2020.

(d) The case of the petitioner is that they are innocents and they have not committed any offence as alleged by the prosecution and that they have been falsely implicated in the above case. The learned counsel for the petitioners would submit that the first accused was arrested on 20.05.2020 itself and after passing of 15 days from the date of remand, the case in Crime No.168 of 2020 was transferred to the NIB-CID, that it is stated in the FIR in Crime No.16 of 2020 that the Scooter was kept parking under a tree for the past one week whereas the first accused was remanded to judicial custody 15 days prior to the seizure of the scooter, and that since the respondent Police was not able to secure the accused in connection with the case in Crime No.16 of 2020, they have falsely implicated the petitioner and the other accused, against whom the earlier case in Crime No.168 of 2020 on the file of the Thiruvadanai Police was registered.

(e) It is not in dispute that the case in Crime No.168 of 2020 on the file of Thiruvadanai Police was subsequently transferred to the NIB-CID, Ramanathapuram and FIR came to be registered in Crime No.17 of 2020. It is also not in dispute that the respondent Police has already laid the charge sheet and the case was taken on file in C.C.No.27 of 2021 and the same is pending on the file of the Special



Court for EC and NDPS Act cases, Pudukkottai. It is pertinent to note, as rightly pointed out by the learned Additional Public Prosecutor, the nature and quantum of the Narcotic substance allegedly recovered in both the cases are almost similar.

(f) Considering the seriousness and gravity of the offence alleged, quantum of the Narcotic substances recovered and that the pleas now taken by the petitioners can only be gone into at the trial, as rightly contended by the learned Additional Public Prosecutor, this Court is not inclined to grant bail to the petitioners. Accordingly, these petitions are dismissed.

22.Cr1.OP(MD)No.12388 of 2021 :

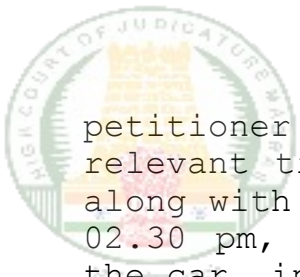
(a) The petitioner/A3, who was arrested and remanded to judicial custody on 09.07.2021 for the offence punishable under Sections 8(C) r/w 20(b) (ii)(C), 25, 29(1) of NDPS Act and Section 25(1-B)(b) of Arms Act, in Crime No.413 of 2021, on the file of the respondent Police, seeks bail.

(b) The case of the prosecution is that based on the secret information received on 08.07.2021 at about 13.15 hours that one Murugan @ Lodu Murugan with his mates bringing the Ganja in one vehicle, namely, Breeza White Car bearing Registration No.TN 59 CK 3492 for the sale of Ganja in the Madurai area from Mela Anupanadi nearby Chinthamani Check Post. Immediately, the respondent police formed a team and arrested all the accused and seized the said car, and one two wheeler along with 30 kgms of Ganja available in the said car.

(c) The learned counsel for the petitioner would submit that the petitioner, who is working as a Field Officer in Saveri Transport Finance Private Limited, situated at North Veli Street, Yanakkal, Madurai, was working at his office, that he was not at all available at the place of occurrence as alleged by the prosecution, that on the date of occurrence two Police officers came to the petitioner's office and enquired about him and also took the petitioner along with them and thereafter, foisted a false case, as if the petitioner along with other accused travelled in a car from which, they have recovered the alleged contraband.

(d) Considering the submission made on behalf of the petitioner that the entire incident was recorded in CC.TV cameras available at the petitioner's Office and that some photographs and Attendance Register are also available to prove that the petitioner was working in the company on the date of alleged occurrence, this Court directed the respondent Police to file a report with regard to the incriminating evidence found available against the petitioner.

(e) In pursuance of the same, the respondent Police has filed the report stating that the petitioner is a friend of the first accused and he has frequently contacted him, that though the



petitioner claimed that he was available in the Office at the relevant time, he left the Finance Company at 11.57 hours and went along with the first accused to the place of occurrence and at about 02.30 pm, the respondent police has recovered the contraband from the car, in which, they were travelling.

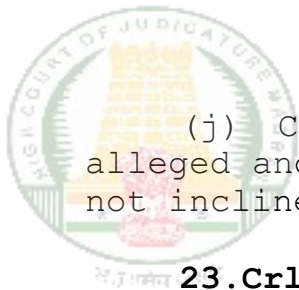
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(f) This Court has also directed the Investigating Officer to ascertain the CC.TV footages, which is available in the Finance Company and file a report. In pursuance of the same, the respondent police has examined the Manager as well as the owner of the Saveri Transport Finance Limited and also recorded their statements under Section 161 Cr.P.C, wherein they have stated that two unknown persons came to the Office on the date of occurrence.

(g) Considering the submissions made by the learned counsel for the petitioner as well the report filed by the respondent Police, this Court has further directed the Investigating Officer to ascertain whether it was a Police Officer or the accused, who had visited the petitioner's Office at the relevant point of time and to file an additional report. The respondent police has filed a further report dated 15.11.2021, stating that the Police Officer who allegedly visited the petitioner's Office as claimed by the petitioner was not at all assigned with such duty, that the Investigating Officer has examined the Manager of the Saveri Transport Finance Company again and the said Manager has stated that the petitioner was working as a loan collection agent in their company, that large number of persons used to visit the accused at the Office, that he was on leave on 08.07.2021, due to personal commitments and when he returned back to the work next day, two persons known to the accused came to the Office and enquired as to whether any Police came to the Office and on their request, he showed the CC.TV footage copy in a pendrive, that he also gave a copy of the footage to the Police on 11.07.2021, that since the footage extracted through mobile phone was not clear, the face and features of the two persons with whom the accused went out on 08.07.2021 could not be known, that the video coverage stored in the hard disk automatically gets cleared once in 30 days and hence, he was not in a position to produce the hard disk as requested by the Investigating Officer.

(h) No doubt, the petitioner has already filed a petition under Section 91 of Cr.P.C before the trial Court, directing the Branch Manager, Saveri Transport Private Limited, to produce the Attendance Register and CC.TV footage for the period between 11.00 hours and 14.00 hours on 08.07.2021 and the learned trial Judge after enquiry, has allowed the said petition.

(i) As rightly contended by the learned Additional Public Prosecutor, since they were not able to identify the persons from the CC.TV footage available, the same cannot be gone into at this stage elaborately and is a matter for trial.



(j) Considering the seriousness and gravity of the offence alleged and also the quantum of the contraband seized, this Court is not inclined to grant bail to the petitioner at this point of time.

23.Cr1.OP(MD)No.12442 of 2021 :

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(a) The petitioner/A4, who was arrested and remanded to judicial custody on 12.09.2021 for the offence punishable under Sections 8(C), 20(b) (ii)(C) and 29(1) of NDPS Act, 1985 in Crime No.1388 of 2020, on the file of the respondent Police, seeks bail.

(b) The case of the prosecution is that on 05.09.2020 at about 03.00 pm, when the respondent police was on regular surveillance duty in the area of the first accused, they found that near the house of the first accused, the first accused and 15 members were found with white color gunny bag and on seeing the police, they fled away from the spot and that the police chased and arrested A1 to A3 and seized the contraband of 22 kgs of Ganja from them.

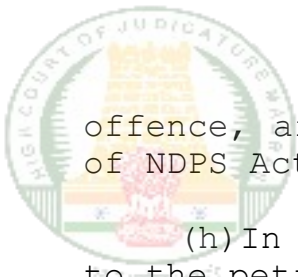
(c) The petitioner's case is that he is innocent, that he has not committed any offence as alleged by the prosecution, that there was no recovery from the petitioner, that the petitioner was falsely implicated only on the basis of the alleged confession statement taken from the co-accused and that the petitioner is not having any previous case for similar offence.

(d) The learned Additional Public Prosecutor would submit that there are totally 15 accused, that the contraband seized is of commercial quantity, that the respondent after completing investigation, has filed the charge sheet before the jurisdictional Court and the same was taken on file in C.C.No.120 of 2021 and that the petitioner is having 12 previous cases for the offence under IPC.

(e) As rightly pointed out by the learned counsel for the petitioner, in the counter-affidavit filed by the respondent police, they have specifically stated that in C.C.No.120 of 2021, NBW was issued against the co-accused and the same is pending. As rightly argued by the learned counsel for the petitioner, except the confession statement of the co-accused, the prosecution has not produced any materials or evidence to connect the petitioner with the crime in question.

(f) Admittedly, there was no recovery from the petitioner and there is no evidence to show that the petitioner was present at the scene of occurrence.

(g) Considering the above facts and circumstances of the case and also the fact that the petitioner is not having any previous case under NDPS Act, this Court is satisfied that there are reasonable grounds for believing that the petitioner is not guilty of such offence and that he is not likely to commit any such



offence, after coming out on bail, as contemplated under Section 37 of NDPS Act.

(h) In view of the above, this Court is inclined to grant bail to the petitioner.

24.Cr1.OP(MD)No.13334 of 2021 :

(a) The petitioner/A6, who was arrested and remanded to judicial custody on 13.05.2021 for the offence punishable under Sections 8 (C), 20(b) (ii) (C) of NDPS Act, 1985, in Crime No.157 of 2021, on the file of the respondent Police, seeks bail.

(b) The case of the prosecution is that on 10.05.2021 at about 08.30 am, on receipt of secret information, the respondent police intercepted the two wheelers and a Tavera Car in Palani to Ottanchathiram Main Road at Virupatchi Kanavai Medu and found 50 kgs of Ganja in Tavera Car and arrested the accused 2 and 3 and that on the basis of the confession statement, the present petitioner/A6 and the other accused were implicated.

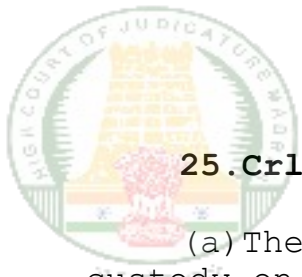
(c) The learned counsel for the petitioner would submit that the petitioner is innocent, that he has not committed any offence as alleged by the prosecution, that there was no recovery from the petitioner and he was not at all present in the scene of occurrence and that except the confession statement of the co-accused, the prosecution has not produced any other material to link the petitioner with the crime in question.

(d) As rightly pointed out by the learned counsel for the petitioner, in the FIR, it was specifically stated that four persons namely, (i) Karthik S/o.Perumalsamy; (ii) Saravanan, S/o.Perumalsamy ; (iii) Sasikumar, S/o.Lingusamy; (iv) Sesuraja, S/o.Chinnan, were present at that time and on seeing the police party, Sasikumar and Sesuraja, who came in the two wheeler, by leaving the two wheeler, had managed to escape from that place and hence, the other two persons, Karthik and Saravanan were arrested and the contraband was seized.

(e) Even according to the prosecution, the petitioner was not present at the occurrence time along with other accused and admittedly, there was no recovery from the petitioner. As rightly contended by the learned counsel for the petitioner, except the confession statement of the co-accused, the prosecution has not produced any material or evidence to connect the petitioner with the crime in question.

(f) It is also not in dispute that the petitioner is not having any previous case for similar offence or for any other serious offence.

(g) Considering the above facts and circumstances of the case and also the fact that the petitioner is in judicial custody from 13.05.2021 and also taking note of the fact that the petitioner has satisfied the twin conditions under Section 37 of NDPS Act that the petitioner is not likely to have committed the offence in question and he is not likely to commit any such offence, after coming out on bail, this Court is inclined to grant bail to the petitioner.

**25.Cr1.OP(MD)No.13796 of 2021:**

(a)The petitioner/A4, who was arrested and remanded to judicial custody on 22.01.2021 for the offence punishable under Sections 8(C) r/w 20(b) (ii) (C) 25 and 29(1) of NDPS Act, in Crime No.24 of 2021, on the file of the respondent Police, seeks bail.

(b)The case of the prosecution is that on 19.01.2021, on receipt of secret information, the respondent police conducted vehicle check up at Kamanayakanpatti, Kuthanachaiammal Kovil Road near Gajenthuran garden and intercepted a bike, that in the bike, they found 32 kgs of Ganja in two plastic bags and that on investigation, they came to know that the petitioner along with other accused are illegally transporting the Ganja to Kerala.

(c)The petitioner's case is that he is innocent, that he has not committed any offence as alleged by the prosecution, that no contraband was recovered from him, that the petitioner was not at all available at the scene of occurrence and that the petitioner was falsely implicated in the above case.

(d)It is evident from the records that the petitioner was granted interim bail to undergo medical treatment and thereafter, as per directions of this Court, he surrendered before the Prison Authorities and is now in judicial custody.

(e)As rightly pointed out by the learned Additional Public Prosecutor, the learned Single Judge of this Court, in earlier bail application of the petitioner in Cr1.OP(MD)No.5756 of 2021, had dealt with all the pleas now raised by the petitioner and came to the conclusion that there existed *prima facie* case against the petitioner and dismissed the petition.

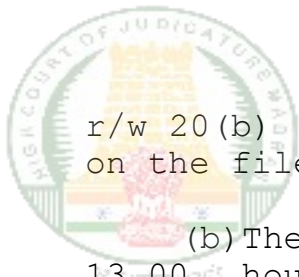
(f)It is the specific case of the prosecution that the petitioner had six previous cases for similar offence. As rightly contended by the learned Additional Public Prosecutor, it is settled law that the twin conditions contemplated under Section 37 of NDPS Act are conjunctive and the Court before granting bail has to satisfy that there are reasonable grounds for believing that the petitioner is not guilty of such offence and that he is not likely to commit such offence again, while on bail. Since the petitioner is having six previous cases under the NDPS Act, this Court cannot record a finding that the accused is not likely to commit any such offence, while on bail.

(g)Considering the above, this Court has no other option, but to say that the petitioner is not entitled to be enlarged on bail and hence, this petition is liable to be dismissed.

26.Cr1.OP(MD)No.14518 of 2021:

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

(a)The petitioner/A1, who was arrested and remanded to judicial custody on 15.03.2021 for the offence punishable under Sections 8(C)



r/w 20(b) (ii) (C) 25 and 29(1) of NDPS Act, in Crime No.1028 of 2020, on the file of the respondent Police, seeks bail.

(b) The case of the prosecution is that on 22.12.2020 at about 13.00 hours, the respondent Police on receiving a secret information, obtained permission to search in the house of the accused, situated at Echampatti Village, Usilampatti Taluk, Madurai District and they found 8 bags of Ganja, weighing 194 kgs in the said house and recovered the same and also arrested the accused Ranjitham and that on the basis of the confession statement of the said Ranjitham, arrested the petitioner.

(c) It is the further case of the prosecution that, on investigation, they came to know that the first accused is the husband of the second accused and son-in-law of the third accused and that the petitioner and his wife have dropped the Ganja in the house of the third accused in an Auto bearing Registration No. TN 58 AB 3151.

(d) The case of the petitioner is that he is innocent, that he has not committed any offence as alleged by the prosecution and that the respondent police on the basis of the confession statement alleged to have been taken from the co-accused, has falsely implicated the petitioner.

(e) The learned Additional Public Prosecutor would submit that the investigation by the respondent police would reveal the involvement of the petitioner and his wife, that after investigation charge sheet has been laid before the jurisdictional Court and the case was taken on file in C.C.No.283 of 2021.

(f) The learned counsel for the petitioner would submit that after the recovery of contraband allegedly from the co-accused, the same was produced before the jurisdictional Court after the lapse of 90 days and the same creates a genuine doubt with the case of the prosecution and the alleged recovery.

(g) As rightly contended by the learned Additional Public Prosecutor, this aspect, whether there is any inordinate delay, whether the delay is wanton, whether the delay, if any is properly explained or whether the delay is fatal to the prosecution are the aspects that can be decided only at the trial and not at this stage, by the bail Court.

(h) According to the prosecution, the petitioner is having three previous cases including two cases for similar offence. Hence, this Court cannot record a finding that the accused is not likely to commit any such offence, while on bail.

(i) Considering the above and also considering the huge quantity of contraband seized, this Court has no other option, but to say that the petitioner is not entitled to be enlarged on bail and hence, this petition is liable to be dismissed.

**27.Cr1.OP(MD)No.14860 of 2021:**

(a)The petitioner/A1, who was arrested and remanded to judicial custody on 28.03.2021 for the offence punishable under Sections 8(C) r/w 20(b) (ii) (C) of NDPS Act, in Crime No.195 of 2021, on the file of the respondent Police, seeks bail.

(b)The case of the prosecution is that on 28.03.2021, the respondent police on receiving a secret information, went to the place near Government Arts College, Melur that they have found that the petitioner was in possession of 4 kgs of Ganja and that when she was taken to her house, in pursuance of the statement given by her, they have recovered 17 kgs of Ganja from her house and that therefore, FIR came to be registered.

(c)The case of the petitioner is that she is aged 71 years, that she is innocent, that she has not committed any offence as alleged by the prosecution and that a false case has been foisted against her. The learned counsel for the petitioner would submit that after the recovery of contraband allegedly from the petitioner, the same was produced before the jurisdictional Court after a long delay and the same creates a genuine doubt with the case of the prosecution and the alleged recovery.

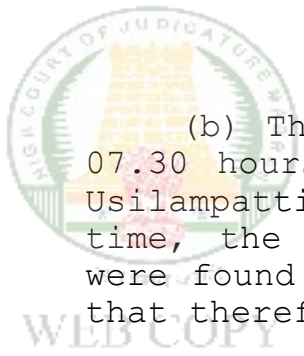
(d)As rightly contended by the learned Additional Public Prosecutor, this aspect, whether there is any inordinate delay, whether the delay is wanton, whether the delay, if any, is properly explained or whether the delay is fatal to the prosecution are the aspects that can be decided only at the trial and not at this stage, by the bail Court.

(e) No doubt, according to the prosecution, the petitioner is not having any previous case for similar offence. Since the contraband of commercial quantity was allegedly recovered from the petitioner, this Court cannot record a finding that the accused is not likely to have committed any such offence.

(f)Considering the above, since the petitioner has failed to satisfy the first condition contemplated under Section 37 of the NDPS Act, this Court has no other option, but to say that the petitioner is not entitled to be enlarged on bail and hence, this petition is liable to be dismissed.

28.Cr1.OP(MD)No.16796 of 2021:

(a)The petitioner/A2, who was arrested and remanded to judicial custody on 04.05.2021 for the offence punishable under Sections 8(C) and 20(b) (ii) (C) of NDPS Act, in Crime No.137 of 2021, on the file of the respondent Police, seeks bail.



(b) The case of the prosecution is that on 04.05.2021 at about 07.30 hours, the respondent police conducted raid from Elmalai to Usilampatti Main Road nearby Rengasampatti bus stand and at that time, the petitioner and other accused were intercepted and they were found in possession of two bags containing 21 kgs of Ganja and that therefore, the case has been registered.

(c) The case of the petitioner is that he is innocent and he has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. The learned counsel for the petitioner would submit that after recovery of contraband allegedly from the petitioner, the same was produced before the jurisdictional Court after lapse of 76 days and the same creates a genuine doubt with the case of the prosecution and the alleged recovery.

(d) The learned Additional Public Prosecutor appearing for the respondent police would submit that there are three accused in the above case, that the respondent police has recovered 21 kgs of Ganja from the petitioner and the first accused, that after investigation, charge sheet has been laid and the case was taken on file in C.C.No.481 of 2021 and the same is pending on the file of the Principal Special Court for EC & NDPS Act Cases, Madurai and that if the petitioner is released on bail, there is every possibility of him absconding.

(e) As rightly contended by the learned Additional Public Prosecutor, this aspect, whether there is any inordinate delay, whether the delay is wanton, whether the delay, if any, is properly explained or whether the delay is fatal to the prosecution are the aspects that can be decided only at the trial and not at this stage, by the bail Court.

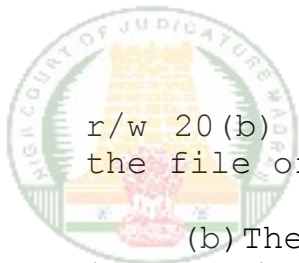
(f) No doubt, according to the prosecution, the petitioner is having one previous case under IPC. It is settled law that the twin conditions contemplated under Section 37 of NDPS Act are conjunctive and the Court before granting bail has to satisfy that there are reasonable grounds for believing that the petitioner is not guilty of such offence and that he is not likely to commit the same offence again, while on bail. Since the contraband was allegedly recovered from the petitioner, this Court cannot record a finding that the accused is not likely to have committed any such offence.

(g) Considering the above and since the petitioner has not satisfied the first condition contemplated under Section 37 of NDPS Act, this Court has no other option, but to say that the petitioner is not entitled to be enlarged on bail and hence, this petition is liable to be dismissed.

29.Cr1.OP(MD)No.17349 of 2021:

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

(a) The petitioner/A2, who was arrested and remanded to judicial custody on 27.08.2021 for the offence punishable under Sections 8(C)



r/w 20(b) (ii) (C) and 25 of NDPS Act, in Crime No.492 of 2021, on the file of the respondent Police, seeks bail.

(b) The case of the prosecution that on receipt of secret information, when the respondent Police on 26.08.2021 at about 17.45 hours conducted raid on the backside of the first accused's house situated at Santhamanickenpatti, they found that the petitioner and the first accused were in possession of Ganja weighing 30 kgs each and that the respondent Police seized the contraband and registered the case.

(c) The case of the petitioner is that the petitioner is the son of the A1 and A3, that the respondent Police in order to implicate the entire family, has falsely implicated the petitioner in the present case, that there was no recovery from the petitioner and that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

(d) The learned Additional Public Prosecutor would submit that the accused family used to purchase Ganja in and around Theni and sell the same using a car Maruti Alto bearing Registration No.TN 57 BH 1198 and that the petitioner alone has been using the said vehicle for sale. It is the specific case of the prosecution that 60kgs of contraband was recovered from the parents of the petitioner.

(e) Admittedly, there was no recovery from the petitioner. As rightly contended by the learned counsel for the petitioner, except the confession statement of the first accused, the prosecution has not shown nor produced any material or evidence to connect the petitioner with the crime in question. There is also no evidence to show that the petitioner was present at the scene of occurrence and that the petitioner is having any connection with the alleged Maruthi Alto Car and selling of contraband.

(f) More importantly, even according to the prosecution, the petitioner is not having any previous case for similar offence.

(g) Considering the above, this Court is satisfied that there are reasonable grounds for believing that the petitioner is not guilty of such offence and that he is not likely to commit any such offence, after coming out on bail, as contemplated under Section 37 of NDPS Act and hence, this Court is inclined to grant bail to the petitioner.

30. In the result, **Cr1.OP(MD)Nos.5097, 14823, 12208, 12388, 13796, 14518, 14860, 16796 and 16839 of 2021** are dismissed.

31. The petitioners in **Cr1.OP(MD)Nos.5093, 13214, 10824, 12442, 13334 and 17349 of 2021** are allowed and the petitioners in respective petitions are ordered to be released on bail on their executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand

only) each with two sureties each for a like sum to the satisfaction of the concerned Court as mentioned in the respective petitions and on further conditions that;

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

ii) the petitioners shall report before the respondent Police daily at 10.30 am, until further orders,

iii) the petitioners shall not tamper with evidence or witness.

iv) the petitioners shall not abscond during trial.

v) On breach of any of the aforesaid conditions, the learned Magistrate/Special Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/ Special Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

32. Now let us consider the petitions for Anticipatory Bail.

33. Even in the cases registered under NDPS Act, there is no doubt that the anticipatory bail may be granted, when there is material on record to show that the prosecution was inherently doubtful or where there is material on record to show that there is a possibility of false implication.

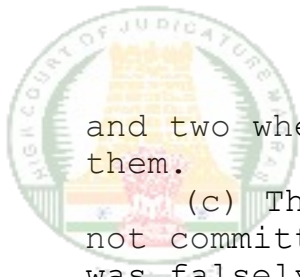
34. It is also settled law that while deciding the question of grant of anticipatory bail, the Court has to look into the nature and gravity of the alleged offence and the role of the accused and the Court is also duty bound to look into the antecedents of the applicant and also the possibility of the applicant fleeing from justice, apart from other factors and parameters required to be looked into.

35. A reading of judgments of this Court and other High Courts on the subject, now under consideration, make it clear that the Court has to be satisfied with the twin conditions contemplated under Section 37 of NDPS Act.

36. Cr1.OP(MD)No.12827 of 2021:

(a) The petitioner/A4, who apprehends arrest at the hands of the Austinpatti Police, for the offence under Sections 8(c), 20(b) (ii)(B), 25 and 29(1) NDPS Act, in Crime No.221 of 2021, seeks anticipatory bail.

(b) The case of the prosecution is that on 24.06.2021 at about 03.00 pm, on receiving a secret information, the respondent police went for search and at that time, the accused persons were packing Ganja and on seeing the Police, the petitioner had escaped from that place and that the respondent Police seized the Ganja weighing 6 kgs



and two wheelers and some money from the accused 1 to 3 and arrested them.

(c) The petitioner's case is that she is innocent, that she has not committed any offence as alleged by the prosecution and that she was falsely implicated in the above case.

(d) When the matter was taken up on 07.09.2021, this Court, on considering the submission made by the learned counsel for the petitioner and the request of the learned Government Advocate (Criminal Side), seeking time for getting instructions, directed the respondent Police to file a report as to the nature of the antecedent of the petitioner, role played by her in the case and other materials, they have collected, apart from the confession statement of the co-accused.

(e) When the matter was taken up again on 05.10.2021, since the respondent Police has sought time for filing the report, this Court has directed the petitioner to appear before the respondent Police for a period of two weeks and co-operate for enquiry and also directed the respondent police not to arrest the petitioner till then.

(f) Subsequently, when the matter was taken up on 29.10.2021, considering the submissions made by both the counsels on record, this Court directed the petitioner to appear before the respondent Police daily at 10.30 am till 15.11.2021 and co-operate with the investigation and directed the respondent Police to find out the involvement of the petitioner in the above case, if any and to file a report and thereby extended the interim order already granted.

(g) After taking much time, the respondent Police has finally filed a report stating that the petitioner had appeared before the respondent Police in pursuance of the directions of this Court and on enquiry, they came to know that the petitioner was also involved in the occurrence. Except the above, the respondent Police has not furnished any other particulars or materials to show that the petitioner was involved in the crime in question.

(i) In the FIR, it has been alleged that four accused including the petitioner were packing Ganja and on seeing the Police, the petitioner ran away and escaped and that they have apprehended the other three accused.

(j) As rightly contended by the learned counsel for the petitioner, when the Police party were able to nab the three persons, the contention that a lady had escaped from them, appears to be unbelievable. Despite the specific directions of this Court, the respondent Police has not furnished any particulars about the petitioner's antecedents. It is not their case that the petitioner is having bad antecedents.



(k) Considering the above facts and circumstances and the quantum of contraband seized and also taking note of the fact that the petitioner is not having any previous case for similar offence, this Court is inclined to grant anticipatory bail to the petitioner.

37.Cr1.OP(MD)No.12880 of 2021:

(a) The petitioner/Accused, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 8 (c) and 20(b)(ii)(B) and 25 of NDPS Act, 1985, in Crime No.203 of 2021, seeks anticipatory bail.

(b) The case of the prosecution is that on 28.07.2021 at about 02.45 pm, the respondent Police on secret information, went to Maraikayerpattinam for vehicle's checkup and intercepted Maruti Ecco car bearing Registration No.TN-65-AJ-8394, but the vehicle was not stopped, that the police team chased the vehicle and stopped the car near Maraikayerpattinam Gas Godown, that the persons, who were in the vehicle got down and ran away from that spot and that the respondent Police found 2 kg of Ganja in the said vehicle and recovered the same.

(c) The case of the petitioner is that he is the owner of Maruti Ecco vehicle, that he is working as a driver in Kuwait and he is not able to go to Kuwait again due to stoppage of flights, due to Covid-19 pandemic, that the petitioner came to know from the CC.TV Footage recorded in a house situated in Vedhalai Village to Valaiyarpadi Main Road, that the respondent Police towed the petitioner's vehicle with the help of their towing vehicle at about 01.00 am on 28.07.2021, that the petitioner has then submitted representations to the DGP, Chennai, IG South Zone, Madurai and to the Superintendent of Police, Ramanathapuram to cancel the case that was registered against him, that he is innocent and that he has been falsely implicated in the above case.

(d) The petitioner has also produced the copies of photos taken from the CC.TV footage and also the copies of the representations sent to the Police Officials. When the matter was taken up for hearing on 05.10.2021, on considering the submissions made by the learned counsel for the petitioner, this Court has granted interim anticipatory bail and directed the petitioner to appear before the respondent Police for a period of two weeks and co-operate for enquiry and directed the respondent Police to find out the truth and file a report.

(e) It is further evident that subsequently at the instance of the prosecution, the case was adjourned and thereby extending the interim order already granted. When the matter was taken up on 24.11.2021, the respondent Police has filed the report, whereunder, it has been stated that the petitioner has appeared before the respondent police for enquiry, that he has not informed as to the person with whom car key was handed over, that the version of the



petitioner that the petitioner was not having knowledge about the person to whom the car key was given is not believable and that since the petitioner has given his vehicle for the commission of offence, it is clearly evident that the petitioner was also involved in the crime in question.

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(f) As rightly contended by the learned counsel for the petitioner, the respondent Police after taking much time, has not given any reply to the averments raised in the petition with regard to the taking of the car by the respondent Police with the help of their towing vehicle at about 01.00 am on 01.08.2021. Moreover, the respondent Police has not produced any other material or evidence to connect the petitioner with the crime in question.

(g) But on the other hand, as already pointed out, in their report, they have only stated since the petitioner has given his vehicle for the alleged commission of offence, he was deemed to be involved in the offence.

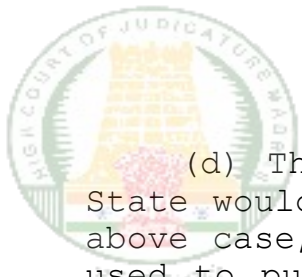
(h) It is also not the case of the prosecution that the petitioner is having any other previous case for similar or serious offence. Considering the above, this Court is satisfied that there are reasonable grounds for believing the petitioner is not guilty of such offence and that he is not likely to commit any offence, while on bail, as contemplated under Section 37 of NDPS Act. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

38.Cr1.OP(MD)No.14603 of 2021:

(a)The petitioners/A5 and A6, apprehending arrest at the hands of the respondent Police for the offence under Sections 8(c) r/w 20 (b) (ii) (C), 29(1) and 25 of NDPS Act, 1985, in Crime No.631 of 2021, seek anticipatory bail.

(b)The case of the prosecution is that on 23.08.2021 at about 19.00 hours, the Inspector of Police has received a report, whereunder, it is stated that the Sub-Inspector of Police attached to the respondent Police received a secret information and went to Kombail Road near Nagakaniamman Tmple, at about 15.00 hours, they had intercepted 2 two wheelers bearing Registration Nos. TN 60 U 3647 and TN 39 CB 7241 and on seeing the Police, the pillion riders of both the vehicles fled away and that the respondent Police had arrested the riders of both the vehicles and seized 52 kgs of Ganja from them.

(c) The case of the petitioners is that they are innocent, that they have not committed any offence as alleged by the prosecution, that there was no recovery from the petitioners and that the respondent police only on the basis of the confession statement alleged to have been taken from the co-accused, has falsely implicated the petitioners.



(d) The learned Additional Public Prosecutor appearing for the State would submit that there are totally 6 accused involved in the above case, that all the 6 accused have invested Rs.1 lakh and they used to purchase Ganja in bulk quantity from Andrapradesh and they are selling in retail manner, that the petitioners have appeared before the respondent Police in pursuance of the directions of this Court on 11.10.2021 and they have produced the two wheeler bearing Registration No. TN 39 CB 7241 used for transporting contraband and that the respondent Police came to know from the call details that the petitioners were in constant touch with the other accused and the investigation is pending.

(e) Considering the seriousness and gravity of the offence alleged and also the commercial quantity of contraband allegedly seized and also the fact that the investigation is pending as stated by the learned Additional Public Prosecutor, this Court is not inclined to grant anticipatory bail to the petitioners at this point of time.

39.Cr1.OP(MD)No.16370 and 16389 of 2021:

(a)The petitioners/A1 and 2 apprehending arrest at the hands of the respondent Police for the offence under Sections 8(c) r/w 20(b) (ii)(B) and 25 of NDPS Act, in Crime No.38 of 2021, seek anticipatory bail.

(b)The case of the prosecution is that on 12.10.2021 at about 11.30 am, the respondent police, on the receipt of information, went to Anumanthanpatti Poomalai Theatre and intercepted 2 two wheelers bearing Registration Nos.TN 60 AC 8712 and TN 60 AD 8660, which were driven by the accused 4 and 3 respectively, that A3 escaped from that place and A4 was apprehended and that they have recovered 4.5 kgs of Ganja from him.

(C) The case of the petitioners is that they are relatives and are living in the same address, that they are innocents and they have not committed any offence as alleged by the prosecution, that no contraband was recovered from the petitioners and that the first accused has already been acquitted in two cases in C.C.No.287 of 2012 and C.C.No.265 of 2012, which were registered under NDPS Act.

(d) No doubt, the first accused has produced the copies of the judgments passed in C.C.No.265 of 2012 and C.C.No.287 of 2021 and whereunder the Special Court for EC and NDPS Cases, Madurai had acquitted the petitioner/A1.

(e)The learned Additional Public Prosecutor appearing for the State would submit that the petitioners were implicated on the basis of the confession statement given by the fourth accused, that the petitioners have directed the fourth accused to hand over the contraband to the third accused and that the investigation by the



respondent police has revealed the involvement of the petitioners with the crime in question.

(f) As rightly contended by the learned counsel for the petitioners, except the confession statement alleged to have been taken from the fourth accused, the prosecution has neither shown nor produced any material or evidence to connect the petitioners with the crime in question.

(g) It is also not in dispute that the fourth accused, from whom the contraband was recovered, was already released on bail by the trial Court and that the co-accused was already granted anticipatory bail by this Court in CrI.OP(MD)No.16343 of 2021.

(h) Considering the above and also taking note of the quantum of the contraband allegedly seized and also the facts that the petitioners are not having any pending cases for similar or for any other serious offence and in the absence of any material, except the alleged confession of the co-accused, to link the petitioners with the crime in question, this Court is inclined to grant anticipatory bail to the petitioners.

40.CrI.OP(MD)No.16378 of 2021:

(a)The petitioners/A2 and A3 apprehending arrest at the hands of the respondent Police for the offence under Sections 8(c) r/w 20 (b)(ii)(B) and 25 of NDPS Act, in Crime No.406 of 2021, seek anticipatory bail.

(b)The case of the prosecution is that on 21.09.2021 at about 08.30 hours, on receiving a secret information, a special team went to the Ramanathapuram E.B. Quarters for vehicle check up, that the first accused came in one two wheeler bearing Registration No. TN 57 BZ 1586 and the accused 2 and 3 were the pillion riders, that the respondent Police suspected them and stopped the vehicle, that immediately A2 and A3 ran away from that place and that the first accused was arrested and 1.250 kgms of Ganja was recovered from him.

(c) The case of the petitioner is that the A1 and A2 are the sons of the third accused, that the second accused is working in garments at Thiruppur, that the third accused is a Village Assistant of Ramarajapuram, Dindigul District and is having high reputation in the village, that they are innocent and that they have been falsely implicated in the above case.

(d) As rightly contended by the learned counsel for the petitioner, when the Police party was able to apprehend the first accused, their contention that the third accused, who is aged 55 years ran away and escaped from them, appears to be unbelievable.

(e) Even according to the prosecution, the petitioners are not having any previous case for similar offence, but the first petitioner/A2 is having a case registered under the provisions of Child Marriage Restraint Act and POCSO Act. Even according to the



prosecution, the first petitioner was not the main accused in the case registered under the Child Marriage Restraint Act and POCSO Act.

(f) Considering the quantity of contraband seized (1.250 kgs) and also the fact that the petitioners are not having any previous case for similar offence and upon the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

41.Crl.OP(MD)No.17114 of 2021:

(a) The petitioner/A3, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 8(c) and 20(b)(ii)(c) of NDPS Act, 1985, in Crime No.353 of 2021, seeks anticipatory bail.

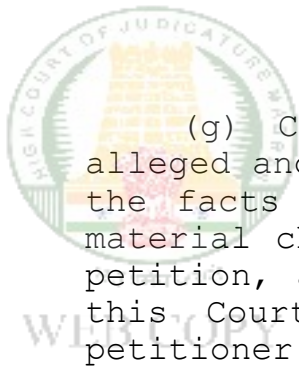
(b) The case of the prosecution is that on 04.07.2021 at about 07.00 hours, the respondent Police, on getting secret information, went to Mahathanapuram to Anjugramam Road and at the place near Narikulam Colony Road, they found the accused 1 to 3, and the first accused was in possession of a white gunny bag, that on seeing the Police, the petitioner escaped from that place and that the other two accused were arrested and 21 kgs of Ganja was recovered from them.

(c) The case of the petitioner is that he is innocent and he has not committed any offence as alleged by the prosecution and that he was falsely implicated in the above case on the basis of the alleged confession statement taken from the co-accused.

(d) The learned Additional Public Prosecutor appearing for the State would submit that the contraband involved in this case is a commercial quantity, that the petitioner and the other accused were found to be in possession of 21 kgs of Ganja and that the petitioner after seeking the Police ran away from that place and that investigation is pending.

(e) The learned counsel for the petitioner would submit that since the respondent Police was harassing the petitioner's family, the petitioner's wife was forced to file a petition in Crl.OP(MD) No.3969 of 2021 and this Court passed an order dated 16.03.2021, directing the respondent Police to follow the guidelines issued in the **D.K.Basu Vs. State of West Bengal** and that the respondent Police at the enquiry in Crl.OP(MD) No.3969 of 2021, gave a wrong information that the petitioner was involved in 16 cases.

(f) As rightly contended by the learned Additional Public Prosecutor, the learned Single Judge of this Court, while deciding the petitioner's earlier application for anticipatory bail, had dealt with all the pleas now raised and came to the conclusion that the petitioner is not entitled to get anticipatory bail and dismissed the petition.



(g) Considering the seriousness and gravity of the offence alleged and also the quantum of contraband allegedly seized and also the facts that the investigation is pending and that there is no material change in circumstances since the dismissal of the earlier petition, as contended by the learned Additional Public Prosecutor, this Court is not inclined to grant anticipatory bail to the petitioner at this point of time.

42. In the result, **Crl.OP(MD)Nos.14603 and 17114 of 2021** are dismissed.

43. The petitions in **Crl.OP(MD)Nos.12827, 12880, 16370, 16378 and 16389 of 2021** are allowed and the petitioners in respective petitions are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the concerned Court as mentioned in the respective petitions, on condition that the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) each with two sureties, each for a like sum to the satisfaction of the concerned respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate/Special Court and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Special Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/ Special Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

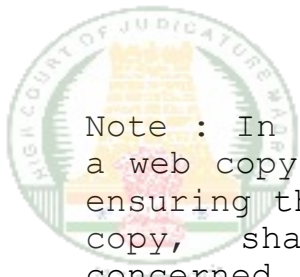
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

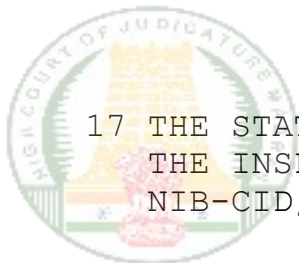


Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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TO

1. THE ADDITIONAL DISTRICT JUDGE OF
PRINCIPAL SPECIAL COURT FOR EC & NDPS ACT CASES,
MADURAI.
2. THE ADDITIONAL DISTRICT JUDGE/PRESIDING OFFICER,
PRINCIPAL SPECIAL COURT FOR EC & NDPS ACT CASES,
MADURAI.
3. THE PRINCIPAL SPECIAL COURT FOR EC & NDPS ACT CASES,
MADURAI.
4. THE ADDITIONAL PRINCIPAL SPECIAL SESSIONS JUDGE
FOR EC & NDPS ACT CASES, MADURAI.
- 5 THE JUDGE,
SPECIAL COURT FOR NDPS ACT CASES, PUDUKKOTAI.
6. THE SPECIAL DISTRICT SESSIONS JUDGE,
(NDPS CASES) MADURAI DISTRICT
7. JUDICIAL MAGISTRATE NO.4, MADURAI
- 8 THE JUDICIAL MAGISTRATE, THIRUMANGLAM,
- 9 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI
10. THE INSPECTOR OF POLICE,
AUTHOR POLICE STATION, THOOTHUKUDI DISTRICT.
11. THE OFFICER INCHARGE, DISTRICT JAIL, MADURAI.
12. THE SUPERINTENDENT, CENTRAL PRISON MADURAI.
- 13 THE OFFICER INCHARGE DISTRICT PRISON, DINDIGUL
14. THE SUPERINTENDENT, WOMEN CENTRAL PRISON, MADURAI
15. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
16. THE INSPECTOR OF POLICE
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT.



17 THE STATE REP BY
THE INSPECTOR OF POLICE
NIB-CID, RAMANATHAPURAM.

18 THE INSPECTOR OF POLICE
KEERATHURAI POLICE STATION,
MADURAI CITY.

19 THE INSPECTOR OF POLICE
KODAL PUDUR POLICE STATION, MADURAI

20 THE INSPECTOR OF POLICE
CHATRAPATTI POLICE STATION,
DINDIGUL DISTRICT.

21 THE INSPECTOR OF POLICE
RAYAPANPATTI.P.S,
THENI DISTRICT.

22 THE INSPECTOR OF POLICE
SINDUPATTY POLICE STATION,
MADURAI CITY.

23 THE INSPECTOR OF POLICE
MELUR POLICE STATION,
MADURAI DISTRICT.

24 THE INSPECTOR OF POLICE
ELUMALAI POLICE STATION,
MADURAI DISTRICT.

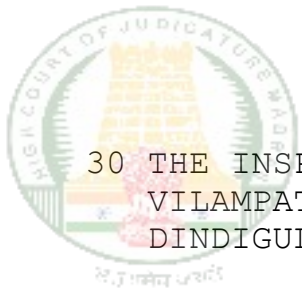
25 THE INSPECTOR OF POLICE
KANNIVADI POLICE STATION,
DINDIGUL DISTRICT

26 THE INSPECTOR OF POLICE
AUSTINPATTI POLICE STATION,
MADURAI DISTRICT.

27 THE INSPECTOR OF POLICE
MANDAPAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

28 THE INSPECTOR OF POLICE
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.

29 THE INSPECTOR OF POLICE
NIB-CID, THENI,
THENI DISTRICT.



30 THE INSPECTOR OF POLICE
VILAMPATTI POLICE STATION,
DINDIGUL DISTRICT.

31 THE INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT

+1CC TO MR.NIRANJAN S.KUMAR, ADVOCATE SR.NO.9795
+1CC TO MR.M.VIVEK KUMAR, ADVOCATE SR.NO.9777
+2CC TO B.ANANDAN, ADVOCATE SR.NO.9756,9757
+1CC TO S.SARAVANAN, ADVOCATE SR.NO.9755
+1CC TO M.SURI, ADVOCATE SR.NO.9771

ORDER MADE IN

CRL OP(MD). Nos.5093, 5097, 10824, 12208, 12388,
12442, 13214, 13334, 13796, 14518, 14860, 14823,
16796, 16839 and 17349 of 2021

and

CRL OP(MD).Nos.12827, 12880, 14603, 16370, 16378,
16389 and 17114 of 2021

Date :23.12.2021

VB/JC/SAR-I/29.12.2021/38P/38C