



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/10/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.15228 of 2021

Akil,

... Petitioner/Accused No.2

Vs

State Rep by,
The Inspector of Police,
Annanagar Police Station,
Madurai City.
Crime No. 1816 of 2020.

... Respondent/Complainant

For Petitioner : Mr.M.Jegadeesh Pandian,
Advocate.

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

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

PRAYER :-

For Bail in Crime No.1816 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested on 24.01.2021 for the offence under Section 8(c) r/w 20(b)(ii)(C), 29(1) & 25 of NDPS Act, in Crime No.1816 of 2020 on the file of the respondent police, seeks bail.

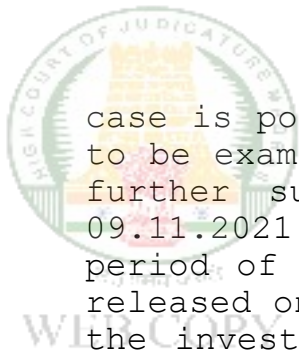
2.The case of the prosecution is that the accused persons were found in illegal possession of 215 kgs of ganja. Hence, the complaint.

3.In the earlier occasion, the learned counsel appearing for the petitioner submitted that the contraband has not been recovered from this petitioner and he is not having any adverse antecedent.

4.In view of the said submission, this Court directed the respondent police to file a counter affidavit in this case as to the role played by this petitioner in the commission of offence. Even today, no counter has been filed by the respondent police. However,

<https://hcservices.courts.gov.in/hcs/Andas/>

the learned Additional Public Prosecutor would submit that in this



case is posted for trial on 09.11.2021 and only four witnesses have to be examined and summons have been issued to LW1 to LW3. He would further submit that three witness would have been examined on 09.11.2021 and the prosecution itself would be completed within a period of one month. The petitioner is a Kerala citizen. If he is released on bail, he may be attempt to tamper the witness and hamper the investigation and hence, he opposed for grant of bail to this petitioner.

5.Considering the nature of offence and the objections made by the learned Additional Public Prosecutor, without going into the merits of the case, this Court is inclined to dismiss the petition.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

26/10/2021

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

PNM/msa

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

TO

- 1 THE INSPECTOR OF POLICE
ANNANAGAR POLICE STATION,
MADURAI CITY.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.15228 of 2021

Date :26/10/2021

PKP/SKN/SAR-3/01.11.2021/2P/4C