



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 25/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.15585 of 2021

WEB COPY

Pandeewaran

... Petitioner/Accused No.6

Vs

State Rep.by
The Inspector of Police,
NIBCID,
Theni,
Theni District.
(Crime No.42/2020).

... Respondent/Complainant

For Petitioner : M/s. Pitchai Muthu.M.,
Advocate

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.42 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A6, who voluntarily surrendered before the Court on 08.07.2021, in connection with the case in Crime No.42 of 2020, for the offence punishable under Sections 8(c), 20(b)(ii)(C) and 29(1) NDPS Act and Section 269 IPC and Section 3 of Epidemic Diseases Act and Section 51(b) of Disaster Management Act, seeks bail.

2. The case of the prosecution is that on secret information, the respondent Police conducted a raid and on being identified, the accused Nos.1 to 5 were arrested and on search, it was found that they were carrying 23 kgs. of ganja. The arrested accused confessed that the petitioner herein helped them in bringing the ganja. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submits that there was no recovery from the petitioner herein and except the confession statement of the co-accused, there are no other materials against the petitioner. He further submits that in this case, charge sheet has been filed and the same has been taken on file as C.C.No.308 of 2020 on the file of the II Additional Special Court for EC & NDPS Act cases, Madurai and the same is pending for trial. Since the



petitioner has been languishing in jail from 08.07.2021, he prays for grant of bail.

4. The learned Additional Public Prosecutor submits that the petitioner was having nexus with the other accused. After the arrest of co-accused, he was absconding. He further submits that the petitioner and other accused are close relatives and the entire contraband has been recovered from A1 to A5. Apart from this case, the petitioner is also involved in six other cases, out of which, four cases are similar in nature. Hence, he opposed for grant of bail.

5. Considering the nature of offence, the antecedent of the petitioner and in view of provisions under Section 37 of NDPS Act, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

sd/-
25/10/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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

TO

1.The Inspector of Police,
NIBCID, Theni, Theni District.

2.The Superintendent,
Central Prison, Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.15585 of 2021
Date :25/10/2021

RS/TR/SAR2 (11.11.2021) 2P 4C

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