



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.15608 of 2021

WEB COPY

Tamilarasan

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
S.S. Colony Police Station,
Madurai District.
(Cr.No.60/2021)

... Respondent/Complainant

For Petitioner : M/s.Mahendrapathy S,
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.60 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested on 20.01.2021, for the offence punishable under Sections 8(c) r/w. 20(b)(ii)(C), 25 of NDPS Act, in Crime No.60 of 2021 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 19.01.2021, at about 17.15 hrs., on secret information, the respondent Police intercepted a Car bearing Reg.No.TN07 V 8913 near Feenner Colony, Virathipathu and on search, two gunny bags were found inside the Car, in which, 33.300 kgs. of ganja were found. The entire contraband was seized and all four accused persons were arrested and remanded to judicial custody.

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 and only for the statistical purpose, this false case has been foisted against the petitioner. He further submits that in this case, the investigation was over, charge sheet has been filed and the same has been taken on file as C.C.No.257 of 2021 on the file of the Principal Special Court for EC and NDPS Act Cases, Madurai. Since the petitioner has been languishing in jail from 20.01.2021, he prays for grant of bail to the petitioner.



4.The learned Additional Public Prosecutor opposed for grant of bail on the ground that apart from this case, the petitioner is also involved in another case of similar offence, where, he was convicted. He further submits that the petitioner was arrested along with contraband and the contraband involved in this case is 33.300 kgs. Hence, he prayed for dismissal of this petition.

5.Considering the nature of offence, 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.

7.At this juncture, the learned counsel for the petitioner submits that in this case, charge sheet has been filed and the same has been taken on file as C.C.No.257 of 2021, on the file of the Principal Special Court for EC and NDPS Act cases, Madurai. Since the petitioner has been languishing in jail from 20.01.2021, he prays for speedy disposal of the case.

8. Considering the request made by the learned counsel for the petitioner and also considering the period of incarceration, the trial Court is directed to complete the trial and dispose of the case in C.C.No.257 of 2021, within a period of four months from the date of receipt of a copy of this order.

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,
S.S Colony Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 3.The Superintendent,
Central Prison,
Madurai.

ORDER
IN
CRL OP(MD) No.15608 of 2021
Date :25/10/2021

RS/JM/SAR1 (11.11.2021) 3P 4C