



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/11/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.17410 of 2021

K.Mareeshwaran,

... Petitioner/Accused No.3

Vs

State Rep by,
The Inspector of Police,
Karimedu Police Station,
Madurai City.
(Cr.No. 1403/2020).

... Respondent/Complainant

For Petitioner : Mr.M.VASANTHAM,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 1403/2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested on 20.09.2020, for the offences punishable under Sections 8(c), 20(b)(ii)(C), 25 and 29 of NDPS Act, in Crime No.1403 of 2020, seeks bail.

2.The case of the prosecution is that the accused persons were found in possession of 25 kgs of Ganja. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent, not committed any offence as alleged by the prosecution, but a false case has been foisted against him. He would further submit that the petitioner is in judicial custody from 19.09.2020 and hence, he seeks for grant of bail.

4.When the matter was taken up on 11.11.2021, this Court on seeing the order passed by this Court in Crl.OP(MD)No.2812 of 2021 dated 23.06.2021, directing the trial Court to complete the trial proceedings as expeditiously as possible, preferably within a period



of three months from the date of receipt of a copy of the order, directed the Registry to call for a report from the trial Court regarding the present stage of the case.

5. In pursuance to the order passed by this Court, the learned Additional District Judge, Madurai has submitted a report stating that the accused nos. 1 to 4 are in judicial custody and that the non-bailable warrant is pending against the fifth accused and that therefore the case could not be proceeded further.

6. The learned Additional Public Prosecutor would submit that in this case charge sheet has been filed, by showing that the fifth accused is absconding and non-bailable warrant is pending for long time.

7. Considering the seriousness and gravity of offence alleged against the petitioner and also the fact that other three accused are still in judicial custody and that the case is pending for trial, this Court is not inclined to grant bail to the petitioner.

8. However, the prosecution is directed to take necessary steps to split-up the case so far as the fifth accused is concerned and after splitting up the case, the trial Court is directed to proceed with the trial and complete the proceedings as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of the order.

9. With the above directions, this Criminal Original Petition is dismissed.

sd/-
23/11/2021

/ TRUE COPY /

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

PNM

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 JUDGE,
PRINCIPAL SPECIAL COURT FOR EC&NDPS ACT

<https://hcservices.caserep.in/hcsar/MADURAI>.



2 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

3 THE INSPECTOR OF POLICE ,
KARIMEDU POLICE STATION,
MADURAI CITY.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.17410 of 2021

Date :23/11/2021

PKP/JC/SAR-2/26.11.2021/3P/5C