



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 09/11/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.17118 of 2021

P.Arivazhagan

... Petitioner/Accused No.2

Vs

The State rep.by
The Intelligence Officer,
Narcotics Control Bureau.
Madurai Sub-Zone,
Madurai
(F.No.48/1/03/2020/NCB/MDU).

... Respondent/Complainant

For Petitioner : Mr.P.KARTHICK,
Advocate.

For Respondent : Mr.C.ARUL VADIVEL @ SEKAR,
Special Public Prosecutor

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

PRAYER :-

To enlarge the petitioner on bail in F.No.48/1/03/2020/NCB/MDU on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, who was arrested and remanded to judicial custody on 02.01.2021 for the offence punishable under Sections 8(c) r/w 20(b)(ii)(c), 28 and 29 of Narcotic Drugs and Psychotropic Substances Act 1985 in F.No.48/1/03/2020/ncb/mdu, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on receipt of secret information, on 31.12.2020, the officers of NCB Madurai intercepted the vehicle bearing registration No.KL-45-B-5904 in which the petitioner and the co-accused were found in possession of contraband weighing 90.300kg and the same was recovered. Hence, the present case has been registered.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and that the petitioner was in judicial custody from 02.01.2021. Hence, he seeks bail for the petitioner.

4. When the matter is taken up for hearing, the learned Counsel for the petitioner would submit that he has restricted his prayer for interim bail to the petitioner, so as to enable him to attend the marriage of his brother scheduled to be held on 11.11.2021.



5. The learned Special Public Prosecutor appearing for the respondent has raised serious objections to enlarge the petitioner on bail or on interim bail. He would further submit that the petitioner has not produced any materials/documents in support of his contention.

6. As rightly contended by the learned Special Public Prosecutor appearing for NCB cases, the petitioner has not produced any materials/documents in support of his contention. Moreover, considering the seriousness and gravity of the offences alleged against the petitioner, this Court is not inclined to grant interim bail to the petitioner and that too for attending his brother's marriage. Accordingly, this Criminal Original Petition is dismissed.

sd/-

09/11/2021

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/ /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 SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 2 THE INTELLIGENCE OFFICER,
NARCOTICS CONTROL BUREAU.
MADURAI SUB-ZONE,
MADURAI
- 3 THE SPECIAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.17118 of 2021
Date :09/11/2021

SA/JM/SAR.1/12.11.2021/2P/4C