



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Ninth day of December Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.18631 of 2021

A.MOHAMMED SHAFI

... PETITIONERS / ACCUSED NO.2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
KOTTAR POLICE STATION,
IN CRIME NO.762 OF 2021,
KANYAKUMARI DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.R.RAJAMO HAN, Advocate.

For Respondent : MR.R.MEENAKSHI SUNDARAM,
Additional Public Prosecutor

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

Prayer:-For Bail in Crime No.762 of 2021 on the file of the respondent Police.

ORDER : The Court Made the following order :-

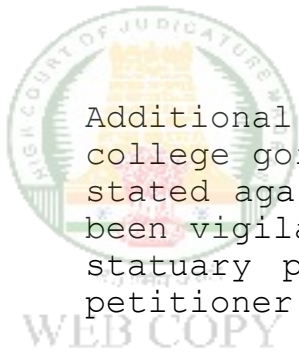
The petitioner is A2 and he was arrested and remanded to judicial custody on 09.09.2021 for the alleged offence punishable under Section 8(c) r/w 20(b)(ii)(A), 22(C), 29(1), 25 of NDPS Act, in Crime No.762 of 2021 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the accused persons were in possession of 250 grams of ganja.

3.When the matter was originally called for on 08/12/2021, the learned Additional Public Prosecutor would submit that the final report has not been filed before the concerned court after completing the investigation process.

4.The contraband involved in this case is not of commercial quantity, it is fairly admitted the learned Additional Public Prosecutor that 250 grams of Ganja has been seized from this

<https://hcsecretdocn.org.in/hcsefiles/>



Additional Public Prosecutor is that contraband has been sold to the college going students. But however, when such a serious offence is stated against the accused, the Investigating Officer ought to have been vigilant and the final report ought to have been filed within a statutory period. So the statutory bail cannot be denied to the petitioner.

5. In view of the above, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be **released on bail** on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Principal Special Court for EC & NDPS Act Cases, Madurai and on further condition that the petitioner shall report before the respondent police daily at 10.00 am until further orders.

sd/-

09/12/2021

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/ /2021

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

TO

- 1 THE PRINCIPAL SPECIAL COURT
FOR EC & NDPS ACT CASES, MADURAI.
 - 2 THE INSPECTOR OF POLICE
KOTTAR POLICE STATION, KANYAKUMARI DISTRICT.
 - 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.R.RAJAMOHAN, Advocate SR.No.9044.

ORDER

IN

CRL OP(MD) No.18631 of 2021

Date :09/12/2021

er

MK/PN/SAR.II/10.12.2021/2P/6C