



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19170 of 2021

Mathavan, ... Petitioner/Accused No.4

Vs

State Rep by
The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District
(Crime No. 772 of 2021). ... Respondent/Complainant

For Petitioner : M/s. Karupasamy Pandiyan.G.,
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. 772 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.4 herein, who was arrested on 04.10.2021 for the alleged offence under Sections 8(C) & 20(b) (ii) (c) of NDPS Act, in Crime No.772 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on receiving secret information, the respondent police way laid the car bearing registration No.TN-04-P-06118, wherein, the accused persons possessed with 23 Kgms of Ganja. Hence, the case has been registered.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. Totally five accused in this case. The petitioner is only the driver of the car. No previous case is pending against the petitioner. The learned counsel for the petitioner submitted that the occurrence was said to have taken place on 04.10.2021, but the contraband was sent to the Court only on 20.10.2021. In many of cases, this fact has been considered by the Court.

4.The learned Additional Public Prosecutor submitted that the investigation has been completed and charge sheet yet to be filed before the concerned Court and it is waiting for completion of official formalities.

5.Since the final report was made ready to file before the concerned Court, the respondent police is directed to file the same immediately. Considering the quantum of contraband involved in this Case, this Court is not inclined to grant bail to the petitioner, even though he is inside the jail for since more than 60 days, The petitioner can move the trail Court in which the final report is going to be filed, if so advised.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

06/12/2021

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

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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,
Kenikkarai Police Station,
Ramanathapuram District.



2. The Officer Incharge, District Prison,
Ramanathapuram.

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

ORDER IN
CRL OP(MD) No.19170 of 2021
Date : 06/12/2021

TR/JC/SAR-II(15.12.2021) 3P 4C