



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/12/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.20205 of 2021

1. Dinesh Kumar,

2. Natchimuthu,

...Petitioners/Accused NOS.4&5

Vs

The State Rep. by
The Inspector of Police,
Elumalai Police Station,
Madurai District.
(Crime No. 169 of 2021)

... Respondent/Complainant

For Petitioners : Mr.S.Balaji, Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.169 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who were arrested on 20.05.2021, for the offence punishable under Sections 8(C), 20(b)(II)(C), 25, 29(i) of NDPS Act, in Crime No.169 of 2021 on the file of the respondent Police, seek bail.

2. The case of the prosecution is that the petitioners along with other accused were found in possession of 21 kgs. of ganja.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. However, the petitioners have been languishing in jail from 20.05.2021. Hence, he seeks for grant of bail to the petitioners.



4. The learned Government Advocate (Crl. Side) submits that this is the second bail petition. The earlier bail petition filed by the petitioners was dismissed by this Court vide order dated 02.11.2021, in view of provisions under Section 37 of NDPS Act. He further submits that in this case, investigation was completed, charge sheet has been filed before the concerned court and the same has also been taken on file in C.C.No. 390 of 2021, by the Special Court for NDPS Act cases (First Additional District Judge), Madurai.

5. Considering the gravity of offence and also considering the fact that the quantity of ganja involved in this case is a commercial quantity, this Court is not inclined to entertain this petition.

6. In the result, the Criminal Original Petition is dismissed.

7. At this juncture, the learned counsel for the petitioners submits that since the petitioners have been languishing in jail from 20.05.2021, he prays for direction to the trial Court for speedy disposal of the case.

8. Considering the request made by the learned counsel for the petitioners 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.390 of 2021, as expeditiously as possible.

sd/-

21/12/2021

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/ /2022

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

OGY

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 I ADDITIONAL DISTRICT JUDGE,
SPECIAL COURT FOR NDPS ACT CASES,
MADURAI.

2 THE INSPECTOR OF POLICE,
ELUMALAI POLICE STATION,

<https://hcservices.madras.gov.in/hcservices> MADURAI DISTRICT.



3 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

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

ORDER
IN
CRL OP(MD) No.20205 of 2021
Date :21/12/2021

PKP/CN/SAR-4/06.01.2022/3P/5C