



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.3459 of 2017
and
Crl.R.C.No.243 of 2017

Nagesh @ Araveeti Nageshwara ... Petitioner in both cases
Vs.

State by Inspector of Police,
Hosur Town Police Station,
Krishnagiri District. ... Respondent in
(Crime No.365 of 2016) both cases

Prayer in Crl.O.P.No.3459 of 2017: Criminal Original Petition has been filed under Section 482 Cr.P.C to call for the records of the learned Special Judge for NDPS Act cases, Salem and set aside the order passed by the learned Judge in C.M.P.No.365 of 2016 in Crime No.365 of 2016 dated 02.01.2017 in granting further time of two months for the respondent herein to file charge sheet in the above case.

Prayer in Crl.R.C.No.243 of 2017: Criminal Revision Petition has been filed under Sections 397 & 401 of Criminal Procedure Code to call for the records of the learned Special Judge for NDPS Act cases, Salem and set aside the order passed by the learned Judge in C.M.P.No.26 of 2017 in Crime No.365 of 2016 dated 25.01.2017 in dismissing the petition for bail filed by the petitioner herein and enlarge him on bail under Section 167 (2) Cr.P.C. in the above case.

For Petitioner : Mr.R.Rajan
in both cases

For Respondent : Mr.A.Damodaran
in both cases Additional Public Prosecutor

ORDER

The petitioner, who is the accused in Crime No.365 of 2016, involving NDPS Act, has filed Crl.O.P.No.3459 of 2017 aggrieved on the orders of the Trial Court in granting further two months time to file charge sheet and Crl.R.C.No.243 of 2017



for dismissal of statutory bail under Section 167(2)Cr.P.C.

2.The learned Additional Public Prosecutor submits that in this case, during the pendency of the above Criminal Original Petition and Criminal Revision Petition, investigation completed, charge sheet filed, which was taken on file in C.C.No.3 of 2017 and on completion of trial, the Special Judge For NDPS Act Cases, Salem, convicted the petitioner and sentenced him to undergo 10 years Rigorous Imprisonment with fine by judgment dated 03.11.2018, against which, he preferred an appeal.

3.In view of the same, both the cases viz., Criminal Original Petition and the Criminal Revision petition are dismissed as infructuous.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sms

To

1.The Inspector of Police,
Hosur Town Police Station,
Krishnagiri District.
(Crime No.365 of 2016)

2. The Special Judge,
NDPS Act cases
Salem.

3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.3459 of 2017
and
Cr1.R.C.No.243 of 2017

RK(CO)
SB(25/02/2022)