



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 09/02/2022

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Cr1.OP(MD)No.1198 of 2022

Veerapandi

... Petitioner/Accused No.11

Vs.

State through represented
The Inspector of Police,
Thirupuvanam Police Station,
Sivagangai District.
(Crime No.432 of 2020)

... Respondent/Complainant

For Petitioner : M/s.N.Anandakumar, Advocate

For Respondent : M/s.S.S.Madhavan
Government Advocate (Criminal side)

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

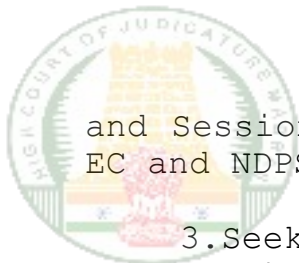
PRAYER :-

For Bail in Crime No.432 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A11 was arrested on 08/07/2020 and remanded to judicial custody for the offences punishable under sections 147, 148, 506(ii), 120(B), 399, 402 IPC r/w 8(c) r/w 20(b), (ii)(C) and 25 of NDPS Act, 1985 and Sections 20 and 30 of Arms Act, 1959, in Crime No.432 of 2020 on the file of the respondent police, seeks bail.

2.The petitioner is facing the charges for the offences under sections 147, 148, 506(ii), 120(B), 399, 402 IPC r/w 8(c) r/w 20(b), (ii)(C) and 25 of NDPS Act, 1985 and Sections 20 and 30 of Arms Act, 1959. The petitioner was arrested and remanded to judicial custody on 08/01/2020 and ever since he is in custody. The final report has been filed and taken cognizance by the learned Additional District



and Sessions Judge, namely the Presiding Officer, Special Court for EC and NDPS Act cases, Pudukkottai, in CC No.1 of 2021.

3. Seeking bail, this petition is filed by the petitioner. On the earlier occasion, when this petitioner moved CrI.OP(MD)No.9346 of 2021 that came to be dismissed by this court on 14/07/2021 with a direction to the trial Judge to expedite the trial process and dispose the same within a period of six months from the date of receipt of a copy of the order. Because of the pandemic situation, it appears that the case has not been disposed of so far. Considering the commercial quantity involved in this matter, the earlier bail application was dismissed and also considering the antecedents of the petitioner. The petitioner is involved in 15 previous cases, out of which, 3 cases are under 302 IPC. Apart from that, he is also involved in decoity etc., considering that he has got bad antecedents and if he is released on bail, there is no guaranty that he will not commit the similar nature of offence in future.

4. The learned Government Advocate (Criminal side) would submit that this is not a fittest case to enlarge the petitioner on bail.

5. The learned counsel appearing for the petitioner would submit that only on the basis of the confession statement of the co-accused, this petitioner has been arrayed as an accused. But reading of the entire CD file shows that there was an enmity between two groups of people with an intention to commit murder of the rival group, the petitioner along with the others said to be assembled in the place of occurrence and on seeing special police team, which was formed for the purpose of napping the rowdy elements, some of the persons escaped from the place. When serious allegation has been made against this petitioner, considering the fact that the petitioner is involved in the above said previous cases, which are also heinous in nature, releasing the petitioner on bail at this stage may not be proper. So as per the direction of this court in the above said case the Special Court has failed to comply with the above said direction and if the Judge is unable to complete the same, he ought to have sought extension of time. It appears that no such request has been made by the Presiding Officer. So the Presiding Officer is directed to comply the conditional order of this court and report the compliance, after disposal of the case.

6. With the above direction, this criminal original petition stands **dismissed**.

sd/-

09/02/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.IV)
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 INSPECTOR OF POLICE,
THIRUPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.
2. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO :

THE PRESIDING OFFICER,
SPECIAL COURT FOR EC AND NDPS ACT CASES,
PUDUKKOTTAI.

ORDER
IN
CRL OP(MD) No.1198 of 2022
Date :09/02/2022

SP/SBN/SAR IV/14/02/2022/3P/5C