



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

Date : 18.04.2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

Crl.O.P. (MD)No.5431 of 2022

Kaleeswaran

... Petitioner/Accused No.1

Vs

The State Rep. By,
The Inspector of Police,
Keeraithurai Police Station,
Madurai City.
(Crime No.4 of 2021).

... Respondent/Complainant

For Petitioner : Mr.M.Jegadeesh Pandian
Advocate

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

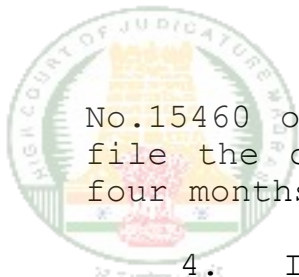
For bail in Crime No.4 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded in judicial custody on 03.01.2021, for the offences punishable under Sections 8 (c) r/w. 20(b), (ii)(C), 25 and 29(1) of NDPS Act, in Crime No. 4 of 2021, seeks bail.

2. The case of the prosecution is that based on secret information, the respondent Police conducted a vehicle check-up on 03.01.2021 and during the inspection, 2 two-wheelers passed on the road and on seeing the police officials, both the vehicles tried to flee away from the scene of occurrence. But, the respondent Police caught hold of them and on enquiry, they found two gunny bags (each bag contains 15 kgs. of ganja) in both the vehicles.

3. This is the second bail petition. Considering that the contraband has been recovered from the petitioner and in view of provisions under Section 37 of NDPS Act, the first bail petition was dismissed by this Court, by order dated 25.10.2021 in Crl.O.P. (MD)



No.15460 of 2021, with a direction to the trial Court to take on file the charge sheet and complete the trial, within a period of four months from the date of receipt of a copy of the order.

4. In view of provisions under Section 37 of NDPS Act and since there is no change in circumstances after the dismissal of earlier bail petition, this Court is not inclined to grant bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

5. Further, the trial Court is directed to comply with the earlier direction issued by this Court in Crl.O.P.(MD)No.15460 of 2021, on 25.10.2021 and dispose of the case as expeditiously as possible.

sd/-
18/04/2022

/ TRUE COPY /

/ /2022
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 SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
3. THE INSPECTOR OF POLICE,
KEERAITHURAI POLICE STATION,
MADURAI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO :
THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.5431 of 2022
Date :18/04/2022

ogy
USK/VR/SAR-IV/25.05.2022/2P/6C