



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

Date : 27/04/2022

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.6991 of 2022

Ramesh @ Rameshkumar

... Petitioner/Accused

Vs

The State Rep. By,
The Deputy Superintendent Of Police,
Q Branch CID,
Trichy.
Crime No.1 of 2007.

... Respondent/Complainant

For Petitioner : M/s.Mohan B,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

PRAYER :-

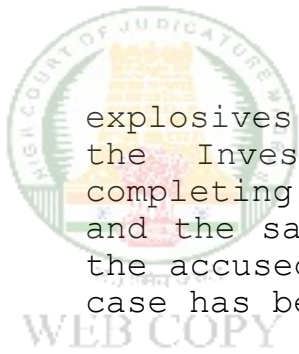
For Bail in Crime No.1 of 2007 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioner/Accused No.3, who was arrested by the respondent police on 26.02.2020 for the offences punishable under Sections 8 (c) r/w Section 20(b) (ii) (B) of NDPS Act, 1985, Section 120(B) IPC, Section 10(a) (iv) of Unlawful Activities Act, 1967, Section 6 of Explosive Substances Act, 1967, Section 5(a) of Explosive Act and Section 14 of Foreigners Act in Crime No.1 of 2007, on the file of the respondent police, seeks bail.

3.The case of the prosecution is that the petitioner along with other accused have procured iron balls, which are used for manufacturing explosives, weighing 4.5 tonnes and supplied the same to a banned organisation viz., LTTE for the purpose of preparing



explosives. The case was originally registered in the year 2007 and the Investigating Agency had arrested 19 accused and after completing investigation, final report was filed in the year 2009 and the same was taken on file in CC No.41 of 2009. Since some of the accused have absconded, the trial could not be completed and the case has been split up in CC No.33 of 2018 and the same was pending.

4.The learned counsel appearing for the petitioner submits that the petitioner has been languishing in jail from 26.02.2020.

5.The learned Government Advocate submits that during the trial, the petitioner absconded four times and with great difficulty, he was secured by the respondent police. The examination of investigating officer alone is pending for concluding the investigation. Summons were also served on the then Investigating Officer. The next date of hearing is 05.05.2022. Hence, he strongly objected to release the petitioner on bail.

6.This Court considered the rival submissions made on either side.

7.It appears that earlier application filed by the petitioner seeking bail was dismissed by this Court on the ground that the petitioner absconded twice. Further, a direction was also issued to the trial Court to conclude the trial within the stipulated time. Now, it is reported that the examination of Investigating Officer alone is pending.

8.In view of the above, this Court is not inclined to grant bail to the petitioner. However, considering the period of incarceration, the trial Court is directed to dispose of the case in CC No.257 of 2021, as per the earlier order of this Court.

9.With the above direction, this Criminal Original Petition is dismissed.

sd/-
27/04/2022

/ TRUE COPY /

/ /2022

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

TO

1. THE ADDITIONAL DISTRICT AND SESSIONS JUDGE/
PRESIDING OFFICER,
SPECIAL COURT FOR E.C. AND NDPS ACT CASES,
PUDUKKOTTAI.

<https://hcservices.ecourts.gov.in/hcservices/>



2. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

3. THE DEPUTY SUPERINTENDENT OF POLICE,
Q BRANCH CID, TRICHY.

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

COPY TO :

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

+1. CC to M/S.MOHAN B Advocate SR.No.21799(F), DATE : 27.04.2022.

ORDER

IN

CRL OP(MD) No.6991 of 2022

Date :27/04/2022

VRN

USK/VR/SAR-IV/25.05.2022/3P/7C