



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.04.2022

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.6553 of 2022

Chitravel @ Surya

... Petitioner/Accused No.4

Vs

The State Rep. by
The Inspector of Police,
Subramaniyapuram Police Station,
Madurai District.
[Crime No.116 of 2021]

... Respondent/Complainant

For Petitioner : Mr.A.Kumar, Advocate.

For Respondent : Mr.Albert James,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.116 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 24.03.2021, for the offence punishable under Section 25(1B) (b) of Arms Act and 20(b) (ii) (c), 25, 29(1) and 8(c) of NDPS Act, in Crime No.116 of 2021 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 40 Kgs of ganja in a vehicle.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. However, the petitioner has been languishing in jail from 24.03.2021. Hence, he seeks for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) submits that this is the third bail petition. The earlier bail petitions filed by the



petitioner were dismissed by this Court, in view of provisions under Section 37 of NDPS Act. He further submits that in this case, investigation was completed, final report has been filed before the concerned court and the same has been taken on file in C.C.No388 of 2021.

5. Considering the gravity of offence and also considering the fact that the quantity of ganja involved in this case is a commercial quantity and there is no change in circumstance, this Court is not inclined to entertain this petition.

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

7. It is seen from records that this Court had already by order dated 21.12.2021 directed the trial Court to complete the trial and dispose of the case in C.C.No.388 of 2021, within a period of six months from the date of receipt of a copy of the order. Therefore, the trial Court shall comply with the directions of this Court dated 21.12.2021.

Sd/-
08/04/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

dsk

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,
SUBRAMANIYAPURAM POLICE STATION,
MADURAI DISTRICT.
2. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
3. 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.6553 of 2022
Date :08/04/2022