



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.06.2022

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.7250 of 2022

Michaelraj ...Petitioner/ Accused No.2
vs.

Senior Intelligence Officer,
Directorate of Revenue Intelligence,
Thoothukudi.
F.No.DRI/CZU/TTIN/VIII/
48/10/INT-1/2021

... Respondent/Complainant

For Petitioner : Mr.B.Santhanam Rajesh Kumar,
Advocate.

For Respondent : Mr.C.Arul Vadivel @ Sekar,
Special Public Prosecutor for
DRI Cases.

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

PRAYER :-

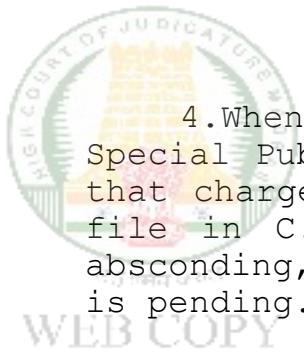
For Bail in F.No.DRI/CZU/TTIN/VIII/48/10/INT-1/2021 on the file of the Respondent.

ORDER : The Court made the following order :-

The petitioner/A.2, who was arrested and remanded to judicial custody on 16.07.2021 for the offences punishable under Sections 8 (c), 21, 23, 25, 28 and 29 of NDPS Act, in F.No.DRI/CZU/TTIN/VIII/48/10/INT-1/2021, seeks bail.

2.The case of the prosecution is that on 15.07.2021 at about 17.20 hours, based on some information that the accused would be carrying hashish oil in two wheeler bearing Registration No.TN-69-E-8879, the respondent agency had intercepted the said vehicle and found that the rider was in possession of 5 pockets of 4.705 kgs of Ganja oil and that the said rider/petitioner herein was arrested and the contraband was seized.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.



4. When the matter is taken up for hearing today, the learned Special Public Prosecutor appearing for the respondent would submit that charge sheet has already been filed and the same was taken on file in C.C.No.80 of 2022 and that since the first accused was absconding, Non-Bailable Warrant was issued against him and the same is pending.

5. No doubt, the earlier application for bail filed by the petitioner in Crl.O.P.(MD)No.2909 of 2022 was dismissed by this Court vide order dated 03.03.2022.

6. It is not in dispute that the petitioner is in judicial custody from 16.07.2021.

7. As rightly contended by the learned Special Public Prosecutor, all the points and aspects now canvassed in the present petition have already been dealt with and this Court has dismissed the earlier application.

8. Considering the above, this Court is not inclined to grant bail to the petitioner.

9. However, the learned trial Judge is directed to take necessary steps through the respondent police for execution of warrant against the first accused and if the first accused is not secured within a reasonable time, the trial Judge is directed to take necessary steps for splitting up the case so far as the present petitioner/accused is concerned and proceed with the trial and dispose of the case as expeditiously as possible.

10. With the above direction, this Criminal Original Petition is disposed of.

sd/-
24/06/2022

/ TRUE COPY /

29/06/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
Thoothukudi.
F.No.DRI/CZU/TTIN/VIII/
48/10/INT-1/2021

2. The Special Public Prosecutor,
for DRI cases (Directorate of Revenue Intelligence)
Madurai Bench of Madras High Court, Madurai.



+1. CC to M/S.C.ARUL VADIVEL @ SEKAR Advocate SR.No.6161

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RK/JM/SAR-II/29.06.2022 : 3P/4C

ORDER

IN

CRL OP (MD) No.7250 of 2022

Date :24/06/2022