



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

Date : 11/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.8378 of 2022

Vignesh

... Petitioner/Accused No.5

Vs

State rep. by
The Sub - Inspector of Police,
Karimedu Police Station,
Madurai District.
(Crime No.1466 of 2020)

... Respondent/Complainant

For Petitioner : Mr.S.Balaji, Advocate.

For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.1466 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 06.10.2020 for the alleged offences under Sections 8(C), 20(b)(ii)(c), 25 and 29(1) of Narcotic Drugs, in Crime No.1466 of 2020, on the file of the respondent police, seeks bail.

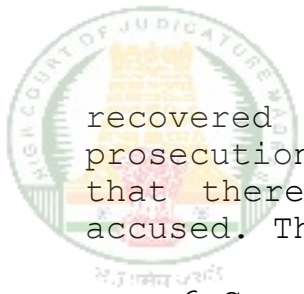
2.The case of the prosecution is that on secret information, the respondent police intercepted the two wheelers bearing Registration Nos.TN 58 AC 4767, TN 58 BC 9390 and TN 58 AP 6669 ridden by the accused persons in Arappalayam, Madurai, they were found in possession of two gunny bags consisting of 11 Kgs of Ganja each, weighing 22 Kgs totally. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that this Court has granted bail to the co-accused in CrI.O.P(MD).No.4612 of 2022 dated 13.04.2022. He further submitted that this petitioner is also standing on the very same footing.

4.Heard the learned Additional Public Prosecutor appearing for the respondent police.

5.On perusal of the order in CrI.O.P(MD).No.4612 of 2022 dated 13.04.2022, it observed that the entire contraband has been

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recovered from the first accused alone, even according to the prosecution case and there is no recovery from the petitioner that there is no material other than the confession of the co-accused. This petitioner is also standing on the very same footing.

6. Considering the duration of incarceration and the grant of bail to the co-accused by this Court, this Court is inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned II Additional Special Sessions Judge for EC & NDPS Act Cases, Madurai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

8. If any new case is registered in future against the petitioner, bail granted by this Court, shall stand automatically cancelled without reference of this Court.

sd/-

11/07/2022

/ TRUE COPY /

11/07/2022

Sub-Assistant Registrar (C.S.)
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 II ADDITIONAL SPECIAL SESSIONS JUDGE FOR EC & NDPS ACT CASES, MADURAI.
- 2 THE SUB INSPECTOR OF POLICE, KARIMEDU POLICE STATION, MADURAI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.BALAJI, Advocate (SR-6863[I] dated 11/07/2022)

ORDER IN

CRL OP(MD) No.8378 of 2022
Date :11/07/2022

RS/PN/SAR.3 (11.07.2022) 2P-6C

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