



WEB COPY



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

Date : 19.07.2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.10276 of 2022

Surya Prakash

... Petitioner/Petitioner/
Accused No.4

Vs

State Through
The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.
(In Crime No.742 of 2021)

... Respondent/Complainant

For Petitioner : Mr.B.Arun, Advocate.

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.742 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on 25.09.2021 for the offences punishable under Section 8(C) r/w 20(b)(ii)(C) of NDPS Act in Crime No.742 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 25.09.2021, on receipt of secret information, the respondent police intercepted two cars at about 17.00 hours a Datsun Car bearing Registration No.TN 65 AL 9527 and Kwid Car bearing Registration No.TN 55 AR 0689 and Pulsar Bike bearing Registration No.TN 65 AM 6145 and at that time, the first accused received the amount from the 7th accused by giving Ganja bags to the 7th accused, that the respondent police has rounded them and recovered the contraband and also arrested all the accused.



3.No doubt, the petitioner's earlier application was dismissed by this Court in CrI.O.P.(MD)No.534 of 2022, dated 17.02.2022.

4.As rightly contended by the learned Additional Public Prosecutor, all the pleas now raised by the petitioner have already been dealt with by this Court, while dismissing the earlier application.

5.When the matter is taken up for hearing today, the learned Additional Public Prosecutor would submit that all the witnesses have already been examined except the Investigating Officer and that the case stands posted to 21.07.2022 for examination of the Investigating Officer.

6.Considering the above facts and circumstances and also the facts that this Court has dismissed the earlier application on the ground that the petitioner has not satisfied the twin conditions contemplated under Section 37 of the NDPS Act and that there is no change in circumstances, this Court is not inclined to grant bail to the petitioner.

7.However, the learned Additional District and Sessions Judge/Presiding Officer, Special Court for EC and NDPS Act Cases, Pudukkottai, is directed to complete the trial and dispose of the case as expeditiously as possible, preferably, within a period of one month from the date of receipt of a copy of this order.

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

Sd/-
19/07/2022

/ TRUE COPY /

/07/2022

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

SJI

TO

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



2. THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

3. THE SUPERINTENDENT,
CENTRAL PRISON, 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.

ORDER
IN
CRL OP(MD) No.10276 of 2022
Date :19/07/2022

SP/JM/SAR II/25/07/2022/3P/6C