



WEB COPY



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

Date : 13/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.10931 of 2022

Balu

... Petitioner/Accused No.3

Vs

State rep.by
The Inspector of Police,
Silaiman Police Station,
Madruai District.
(Crime No.82/2022).

... Respondent/Complainant

For Petitioner : M/s.Manimaran Na, Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Cr.No.82/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A.3, who was arrested and remanded to judicial custody on 10.03.2022 for the offences punishable under Sections 8 (c) r/w 20(b)(ii)(C) of NDPS Act, in Crime No.82 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 10.03.2022, when the respondent police was engaged in vehicle checkup at Veerakanour Ring Road near Kalampal Bridge, they found a TATA INDICA Car bearing Registration No.TN-76-AV-2368 coming towards them. On seeing the police party, the accused persons tried to escape. The police nabbed A1 and A4 and this petitioner and the co-accused escaped from the scene of occurrence. The police on search, found 21.500 kgs of Ganja in the possession of this petitioner and A1 and A4. Therefore, this case came to be registered.



3. On the side of the petitioner, it is stated that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and that he is in judicial custody from 10.03.2022 and that the provisions of Section 50 of NDPS Act was not fairly complied with and prayed the petitioner to be released on bail.

4. On the side of the prosecution, it is stated that the investigation was completed and the charge sheet was already filed and the case was taken on file in C.C.No.480 of 2022 before the VI Principal Special Court for EC and NDPS Act Cases, Madurai and the case is posted for issuance of summons to the witnesses. It is further stated that the trial Court may be directed to dispose of the case within a time to be stipulated by this Court.

5. Considering the above facts and circumstances and also the fact that the investigation was completed and that charge sheet was already filed and the case was taken on file in C.C.No.480 of 2022 before the concerned Court and that the case is posted for issuance of summons to the witnesses, considering the quantity of the contraband seized, this Court is not inclined to grant bail to the petitioner at this point of time. However, the learned VI Principal Special Court for EC and NDPS Act Cases, Madurai, is directed to dispose of the case in C.C.No.480 of 2022 within a period of four months from the date of receipt of a copy of this order.

6. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
13/09/2022

/ TRUE COPY /

/09/2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

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,
SILAIMAN POLICE STATION,
MADURAI DISTRICT.
 2. THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.
 3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.10931 of 2022
Date :13/09/2022

SP/GB/SAR I/26/09/2022/3P/4C