



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 04/07/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.11843 of 2022

R.Karthick Easwar

... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
NIB-CID, Trichy Police Station, Trichy
(Crime No.15/2021)

... Respondent/Complainant

For Petitioner : Mr.NA.Manimaran, 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.15 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who is facing a case for the offence punishable under Sections 8(c) r/w 20(b)(ii)(C) and 25 of NDPS Act in C.C.No.75 of 2021 on the file of the learned II Additional District and Sessions Judge for EC and NDPS Act Cases, Pudukottai, in crime No.15 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 04.05.2021 at about 18.00 hours, on receiving a secret information, the respondent police proceeded to Musiri Road Roundana, Thuraiyur and intercepted a lorry bearing Registration No.TN-57-AQ-2165, that on seeing the police party, three persons, who were in the lorry, had tried to escape from that place, but the respondent police caught hold of them and that they have arrested all the three persons including the petitioner herein and recovered 66 kgs of Ganja available in three gunny bags.

3.No doubt, the petitioner's earlier application was dismissed by this Court in CrI.O.P.(MD)No.18561 of 2021, dated 23.03.2022 mainly on the ground that the petitioner has failed to satisfy the first condition contemplated under Section 37 of the NDPS Act.

4.When the matter is taken up for hearing today, the learned
<https://www.mca.gov.in/filer> the petitioner would submit that the trial Court may be



directed to dispose of the case within the time stipulated Court.

5.It is not in dispute that the charge sheet has already been filed and the case was taken on file in C.C.No.75 of 2021 before the II Additional District and Sessions Judge for EC and NDPS Act Cases, Pudukottai.

6.The learned Additional Public Prosecutor would submit that since A4 was already in judicial custody, a formal arrest was made and on production through P.T. warrant, he was remanded to judicial custody on 08.04.2022 sofar as the present case is concerned. He would further submit that all the accused are in judicial custody.

7.Considering the above facts and circumstances and also the fact that the petitioner has failed to satisfy the conditions contemplated under Section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioner.

8.However, the learned II Additional District and Sessions Judge for EC and NDPS Act Cases, Pudukottai, is directed to furnish the copies of the records within a period of one week from the date of receipt of a copy of this order and thereafter, II Additional District and Sessions Judge for EC and NDPS Act Cases, Pudukottai, is directed to dispose of the case within a period of three months.

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

sd/-

04/07/2022

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/07/2022

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

TO

- 1 THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE
FOR EC AND NDPS ACT CASES, PUDUKOTTAI
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY
- 3 THE INSPECTOR OF POLICE
NIB-CID, TRICHY POLICE STATION, TRICHY

COPY TO:

THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.MANIMARAN NA Advocate SR.No.6689.

ORDER IN

CRL OP(MD) No.11843 of 2022

Date :04/07/2022

SJI

<https://www.mhjudiciary.org.in/cases/II/14.07.2022/2P/6C>