



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2022

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.13283 of 2022

Alexpandi, ... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi District.
Crime No. 660 of 2021.

... Respondent/Complainant

For Petitioner : MR.D.S.Haroon Rasheed.D.S, Advocate.

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

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

PRAYER :-

For Bail in C.C.No.306 of 2022 on the file of the learned Additional District Judge/Presiding Officer, Principal Special Court for E.C and NDPS Act, Madurai in Crime No.660 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole accused, 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. 306 of 2022 on the file of the learned Additional District Judge/Presiding Officer, Principal Special Court for E.C and NDPS Act, Madurai in crime No.660 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 17.07.2021 at about 22.00 hours, on receipt of secret information, the respondent police went to Ettaiyapuram road and had intercepted one Ashok Leyland Mini Load bearing Registration No.TN-05-BW-4003, that on seeing the police party, the petitioner tried to escape from that place and the respondent police caught hold of him and that on search, it was



found that the petitioner was in illegal possession of 24.1 of Ganja and they have arrested him.

3.No doubt, the petitioner's earlier application was dismissed by this Court, vide order, dated 24.06.2022 in CrI.O.P.(MD)No.9971 of 2022,

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4.When the matter is taken up for hearing today, the learned counsel for the petitioner would submit that it would be suffice, if the trial Court is directed to dispose the case within the time fixed by this Court.

5.The learned Additional Public Prosecutor would submit that the charge sheet has already been filed and the case was taken on file in C.C.No.306 of 2022 before the learned Additional District Judge/Presiding Officer, Principal Special Court for E.C and NDPS Act, Madurai and that the case now stands posted for examination of witnesses on 01.08.2022.

6.Considering the above facts and circumstances and also the facts that the petitioner has failed to satisfy the conditions contemplated under Section 37 of the NDPS Act and that there is no change in circumstances, since the dismissal of the earlier petition, this Court is not inclined to grant bail to the petitioner.

7.However, the learned Additional District Judge/Presiding Officer, Principal Special Court for E.C and NDPS Act, Madurai, is directed to complete the trial and dispose of the case as expeditiously as possible, preferably, within a period of four months from the date of receipt of a copy of this order.

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

sd/-
22/07/2022

/ TRUE COPY /

/07/2022

Sub-Assistant Registrar (C.S.)
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 ADDITIONAL DISTRICT JUDGE
/PRESIDING OFFICER,
PRINCIPAL SPECIAL COURT
FOR EC AND NDPS ACT, MADURAI.
- 2 THE INSPECTOR OF POLICE
THOOTHUKUDI NORTH POLICE STATION,
THOOTHUKUDI DISTRICT.
- 3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

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

+1 CC to M/s.D.S.HAROON RASHEED, Advocate (SR-7635[I] dated
26/07/2022)

ORDER

IN

CRL OP(MD) No.13283 of 2022

Date :22/07/2022

PKP/SVR/SAR-4/28.07.2022/3P/7C