



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.14335 of 2022

Prabaharan

... Petitioner/Accused No.2

Vs

State rep.by
The Inspector of Police,
Allinagaram Police Station,
Theni,
Theni District.
(Crime No.621 of 2021).

... Respondent/Complainant

For Petitioner : M/s,Manikandan.G.D., Advocate.

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

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

PRAYER :-

To release the petitioner on bail pending trial in C.C No.403 of 2022 on the file of the Learned Principal Special court for Trial of Narcotic Drugs and Phychotropic substances Act Cases, Madurai.

ORDER : The Court made the following order :-

The petitioner/A2, who is facing a case for the offence under Sections 8(c) r/w 20(b)(ii)(C) of NDPS Act, in C.C No.403 of 2022 on the file of the learned Principal Special Court for Trial of Narcotic Drugs and Phychotropic Substances Act Cases, Madurai, in crime No.621 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused were found in illegal possession of 21kgs of Ganja. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 09.12.2021 and hence, he may be released on bail.

4.The learned Additional Public Prosecutor would submit that it is a commercial quantity of Ganja and the investigation has been completed and the charge sheet has already been filed and the same was taken on file in C.C No.403 of 2022 on the file of the learned Principal Special Court for Trial of Narcotic Drugs and Phychotropic Substances Act Cases, Madurai. Hence, he strongly opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the quantity of Ganja involved in this case is a commercial quantity, this Court is not inclined to grant bail to the petitioner.

6.However, the learned Principal Special Court for Trial of Narcotic Drugs and Phychotropic Substances Act Cases, Madurai, is directed to dispose of the case in C.C.No.403 of 2022, as expeditiously as possible, preferably, within a period of four months from the date of receipt of a copy of this order.

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

Sd/-
12/10/2022

/ TRUE COPY /

/10/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1. THE PRINCIPAL SPECIAL JUDGE
FOR TRIAL OF NARCOTIC DRUGS AND
PHYCHOTROPIC SUBSTANCES ACT CASES,
MADURAI.



2. THE INSPECTOR OF POLICE,
ALLINAGARAM POLICE STATION,
THENI, THENI 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, MANIKANDAN.G.D. Advocate SR.No.49196

ORDER
IN
CRL OP(MD) No.14335 of 2022
Date :12/10/2022

SP/GB/SAR II/20/10/2022/3P/7C