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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.14561 of 2022

Murugan

... Petitioner/Accused No.3

Vs

State rep.by

The Inspector of Police,

(*)NIB-CID, Nagapattinam District.

(Crime No.122 of 2022)

... Respondent/Complainant

For Petitioner : M/s.Devaki.A, Advocate.

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

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

PRAYER :-

To enlarge the petitioner / A3 on bail in Crime No. 122 of 2022 pending on the file of the NIB-CID Nagapattinam District and on the file of the learned Additional District and Sessions Judge, Presiding Officer, Special Court for EC and NDPS Act Cases, Thanjavur.

ORDER : The Court made the following order :-

The petitioner/A3, who is facing a case for the offence under Sections 8(c), 20(b)(ii)(C), 25 and 29(i) of NDPS Act, 1985, in C.C No.99 of 2022 on the file of the learned Additional District and Sessions Judge, Presiding Officer, Special Court for EC and NDPS Act Cases, Thanjavur, in crime No.122 of 2022 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 Ganja. Hence, the complaint.

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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 17.02.2022 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.99 of 2022 on the file of the learned Additional District and Sessions Judge, Presiding Officer, Special Court for EC and NDPS Act Cases, Thanjavur. 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 Additional District and Sessions Judge, Presiding Officer, Special Court for EC and NDPS Act Cases, Thanjavur, is directed to dispose of the case in C.C No.99 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.

(*) (Amended as per order of the
Court dated 02.09.22 in
Crl.M.P.(MD)No.10229/2022
in Crl.O.P.(MD)No.14561/2022
by GIJ)

Sd/-
12/10/2022

/ TRUE COPY /

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



TO

1. THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE, PRESIDING OFFICER, SPECIAL
COURT FOR EC AND NDPS ACT CASES, THANJAVUR.
2. THE INSPECTOR OF POLICE,
NIB-CID, NAGAPATTINAM DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.14561 of 2022
Date :12/10/2022

SP/SBN/SAR II/18/10/2022/3P/5C