



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/10/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.14873 of 2022

1. Kuttappan
2. Akchaikumar
3. Shinu Bright

... Petitioners/Accused No.6,8 & 9

Vs

State Rep.by
The Inspector of Police,
NIB CID Police Station,
Nagapattinam District.
(Crime No.6/2022).

... Respondent/Complainant

For Petitioners : M/s.Dhilipan Pandian R L, Advocate
For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.6/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused herein, who were arrested on 18.01.2022, for the alleged offence under Section 8(c) r/w 20(b)(ii) (C) and 25 of NDPS Act, 1985, in Crime No.06 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 18.01.2022, the respondent Police conducted inspection in the vehicles of the accused persons and found that the accused persons were in possession of 167kgs of ganja. Hence, the complaint.

3.On the side of the petitioners, it is stated that the petitioners are innocent and they had not committed any offence as alleged by the prosecution. In this case, the petitioners are in custody from the date of their arrest, ie., 18.01.2022. In this case, charge sheet was filed before the concerned Court and the co-accused were released on bail by this Court. The petitioners are



noway connected with the offence. Hence, prays to release on bail.

4. On the side of prosecution, it is stated that the contraband was seized from the accused persons. The petitioners are arrayed as A6, A8 and A9, belongs to Kerala State. Since the co-accused are belongs to Tamil Nadu, they were released on bail. The charge sheet was already filed before the concerned Court and if the petitioners are released on bail, there is every possibility for absconding and the case will be pending. The alleged contraband is a commercial quantity. Hence, prayed to dismiss the petition.

5. Considering the above facts and circumstances of the case, alleged quantity of contraband and also considering the strong objection raised by the prosecution, this Court is not inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition stands dismissed. However, the trial Court/Additional District Judge, Thanjavur is directed to complete the trial proceedings, within three months, from the date of receipt of a copy of this order.

sd/-

14/10/2022

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/10/2022

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

TO

- 1 THE ADDITIONAL DISTRICT JUDGE,
SPECIAL COURT UNDER ESSENTIAL COMMODITIES ACT, THANJAVUR.
- 2 THE OFFICER INCHARGE, SUB JAIL, THANJAVUR DISTRICT.
- 3 THE INSPECTOR OF POLICE, NIB CID POLICE STATION,
NAGAPATTINAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO
THE SECTION OFFICER, CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.14873 of 2022
Date :14/10/2022

PNM

<https://www.csbj.org/> 1 (20.10.2022) 2P-6C