



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 14/10/2022

PRESENT

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

CRL OP(MD) . No.14949 of 2022

Suresh

... Petitioner/Accused No.4

Vs

State rep.by
The Inspector of Police,
Silaiman Police Station,
Madurai District.
(Crime No.82 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Manimaran.Na, 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.82 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 11.03.2022, for the alleged offence under Section 8(c) r/w 20(b)(ii)(C) of NDPS Act, 1985, in Crime No.82 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 10.03.2022, the respondent Police conducted inspection in the vehicles of the accused persons and found that the accused persons were in possession of 21.500kgs of ganja. Hence, the complaint.



3. On the side of the petitioner, it is stated that the petitioner is innocent and he had not committed any offence as alleged by the prosecution. In this case, the petitioner is in custody from the date of their arrest, ie., 11.03.2022. In this case, charge sheet was filed before the concerned Court. The petitioner is noway connected with the offence. Hence, prays to release him on bail.

4. On the side of prosecution, it is stated that the contraband was seized from the accused persons. The petitioner is arrayed as A4. In this case, charge sheet was already filed before the concerned Court and if the petitioner is released on bail, there is every possibility for absconding and the case will be pending and also there is every likelihood of indulge in similar kind of activities. Already, the petitioner is having three previous cases at his credit. The alleged contraband is a commercial quantity. Hence, prayed to dismiss the petition.

5. It is further stated on the side of prosecution that in CrI.OP(MD)No.10931 of 2022, this Court also directed the prosecution to complete the trial within four months, from the date of copy of the order.

6. 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 petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed. However, the trial Court/Principal Special Court for EC and NDPS Act Cases, Madurai is directed to strictly adhere with the direction given by this Court in CrI.OP(MD)No.10931 of 2022 and complete the trial proceedings, within the stipulated time.

Sd/-
14/10/2022

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



TO

1. THE PRINCIPAL SPECIAL JUDGE
FOR EC AND NDPS ACT CASES, MADURAI.
2. THE INSPECTOR OF POLICE,
SILAIMAN POLICE STATION,
MADURAI 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.

ORDER
IN
CRL OP(MD) No.14949 of 2022
Date :14/10/2022

SP/SSS/SAR I/19/10/2022/3P/6C