



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN
CRL OP(MD). No.16796 of 2022

WEB COPY

Esakkimuthu

... Petitioner/Accused No.6

Vs

The State Rep.by,
The Inspector of Police,
NIB CID Police Station,
Tuticorin.
(In Crime No.8/2022).

... Respondent/Complainant

For Petitioner : M/s.Banuprasath P,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.8/2022 on the file of the Respondent Police.

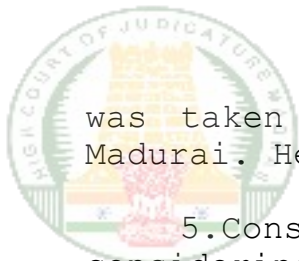
ORDER : The Court made the following order :-

The petitioner/A6, who was arrested and remanded to judicial custody on 07.03.2022 for the offence under Sections 8(c) r/w 20(b), (ii) (C), 24, 25 and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.8 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 joint possession of 471.600 kgs of Ganja illegally. Hence, the complaint.

3.The learned counsel appearing 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 investigation has been completed and the charge sheet has already been filed and the case was taken on file in C.C.No.833 of 2022 before the NDPS Court, Madurai and the petitioner is in judicial custody from 07.03.2022. Hence, he prays for bail to the petitioner.

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.833 of 2022 before the NDF, 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. Hence, this Criminal Original Petition is dismissed.

6.However, the learned Special Judge for Essential Commodities and NDPS Act Cases, Madurai is directed to complete the trial and dispose of the case in C.C.No.833 of 2022, within a period of six months from the date of receipt of a copy of this order.

sd/-
07/11/2022

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/11/2022

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

sj i

TO

1.THE SPECIAL JUDGE FOR ESSENTIAL COMMODITIES
AND NDPS ACT CASES,
MADURAI.

2.THE OFFICER IN CHARGE,
DISTRICT PRISON, PERURANI,
THOOTHUKUDI.

3.THE INSPECTOR OF POLICE,
NIB CID POLICE STATION,
TUTICORIN.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.BANU PRASATH, Advocate (SR-12563[I] dated
08/11/2022)

ORDER
IN
CRL OP(MD) No.16796 of 2022
Date :07/11/2022

RK/SSS/SAR-2 (11/11/2022) 2P/6C