



WEB COPY



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

Date : 27/10/2022

PRESENT

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

CRL OP(MD) . No.19040 of 2022

Sathish Kumar

... Petitioner/Accused No.3

Vs

State rep.by
The Intelligence Officer,
Narcotics Control Bureau,
Madurai Sub Zone,
Madurai.
(NCB.F.No.48/1/04/2019-NCB/MDU) .

... Respondent/Complainant

For Petitioner : M/s Manimaran NA, Advocate.

For Respondent : Mr.Arul Vadivel @ Sekar
Spl.Public Prosecutor for NCB Cases

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

PRAYER :-

For Bail in Crime No.NCB.F.No.48/1/04/2019-NCB/MDU on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who arrayed as accused No.3, was arrested and remanded to Judicial Custody on 04.05.2019 for the offences punishable under sections 8(c) r/w. 20(b)(ii)(C), 28 and 29 of NDPS Act, in NCB.F.No.48/1/04/2019-NCB/MDU on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on receiving secret information, the respondent police conducted raid on 02.05.2019 and they had taken 406.100 Kgs of ganja from the vehicle bearing Regn.No.IN 07 CF 5280, belonging to the accused. Hence, the complaint.



3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that there is no proof for recovery of contraband from the petitioner and he is in jail from 04.05.2019 and he seeks bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that this is the fourth bail application. He would further submit that totally four accused involved in this case and the 12 prosecution witnesses have been examined and the case is posted for next hearing on 31.10.2022 and he strongly opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the quantity of contraband seized, this Court is not inclined enlarge the petitioner on bail. Accordingly, this Criminal Original Petition is dismissed. However, the trial Court is directed to dispose the case within a period of six months from the date of receipt of a copy of this order.

Sd/-

27/10/2022

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/11/2022

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

TRP

TO

1. THE PRINCIPAL SPECIAL JUDGE FOR
EC & NDPS ACT CASES, MADURAI.
2. THE INTELLIGENCE OFFICER,
NARCOTICS CONTROL BUREAU,
MADURAI SUB ZONE, MADURAI.
3. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. MANIMARAN NA Advocate SR.No.12126

ORDER

IN

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