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

Date : 03/11/2022

PRESENT

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

CRL OP (MD) . No.17712 of 2022

Sankar

... Petitioner/Accused No.2

Vs

State rep.by
The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram,
Ramanathapuram District.
(Crime No.919 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Jegadeeshapandian V.M., Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

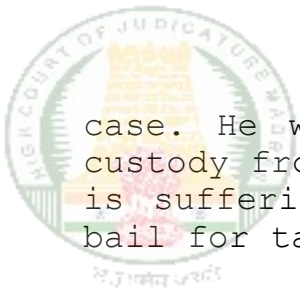
For Bail in Crime No.919 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 01.12.2021 for the offences punishable under Sections 8 (c), 20(b)(ii)(c) of Narcotic Drugs & Psychotropic Act, 1985, in crime No.919 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with others were found in possession of 25 Kg of contraband. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this



case. He would further submit that the petitioner is in judicial custody from 01.12.2021. He would further submit that the petitioner is suffering Anterior Vaginal Prolapse. Hence, he may released on bail for taking treatment.

4.The learned Government Advocate (Crl. side) would submit that Charge sheet was filed before the concerned Court and the same was taken on file in C.C.No.30 of 2022. The case was posted to 04.11.2022 for trial. Since the quantity involved in this case is commercial quantity, he strongly opposed to grant bail to the petitioner.

5.As per order of this Court dated 20.10.2022, report was called for from the concerned Prison Hospital and the same was received. It is stated that the general condition of the patient is satisfactory.

6.Considering the facts and circumstances of the case and also considering the fact the the contraband involved in this case is commercial quantity, this Court is not inclined to grant bail to the petitioner.

7.However, the Additional District Court for EC & NDPS Cases, Pudukkottai, Pudukkottai District, is directed to expedite the trial and dispose of the case in C.C.No.30 of 2022, within a period of three months from the date of receipt of a copy of this order.

8.With the above direction, this Criminal Original Petition is dismissed.

Sd/-
03/11/2022

/ TRUE COPY /

/11/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



1. THE ADDITIONAL DISTRICT JUDGE
FOR EC & NDPS CASES, PUDUKKOTTAI,
PUDUKKOTTAI DISTRICT.
2. THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
3. THE OFFICER INCHARGE,
DISTRICT JAIL, PUDHUKOTTAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.17712 of 2022
Date :03/11/2022

SP/BUC/SAR II/16/11/2022/3P/5C