



WEB COPY

CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/11/2022

PRESENT

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

CRL OP(MD). No.18785 of 2022

Selvam

... Petitioner/Accused No.5

Vs

The State rep.by,
The Inspector of Police,
Ganesh Nagar Police Station,
Pudukottai District
(Crime No.855 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Fazil Kirmani B,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.855 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as accused No.5, was arrested and remanded to Judicial Custody on 09.12.2021 for the offences punishable under sections 8(c) r/w. Section 20(b)(ii)(B) 20(b)(ii)(C) and Section 25 of Narcotic Drugs and Psychotropic Substances Act, in Crime No. 855 of 2021 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that the petitioner and other accused have found in possession of 1200 gms of Ganja and a sum of Rs.15,270/- illegally and the same have been recovered. 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 petitioner is in judicial custody from 09.12.2021.

4. The learned Additional Public Prosecutor would submit that totally eight accused involved in this case and the petitioner herein is arrayed as A5. He would further submit that contra band seized from the accused is 36.200 Kgs of Kanja and the investigation of the case has been completed and the charge sheet was filed in C.C.No.855 of 2022 on the file of the Special Court for EC Act Cases, Pudukkottai. He would further submit that this Court has also given a direction in Crl.O.P(MD).No.16310 of 2022, to the trial Court for disposing the case within a period of four months from the date of receipt of a copy of that order. He further submitted that if the petitioner is released on bail, there will be a chance for absconding and hence, he strongly opposed to grant bail to the petitioner.

5. Considering the submission made by the learned Additional Public Prosecutor appearing for the respondent and that there is a chance for absconding of the accused and that this Court has already given a direction to dispose of the C.C.No.81 of 2022 within a period of four months, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, this Court directs the trial Court to comply earlier order passed by this Court in Crl.O.P(MD).No.16310 of 2022, without fail.

sd/-

11/11/2022

/ TRUE COPY /

/11/2022

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

TRP

TO

1. THE OFFICER IN CHARGE,
DISTRICT JAIL,
PUDUKKOTTAI.
2. THE INSPECTOR OF POLICE,
GANESH NAGAR POLICE STATION,
PUDUKOTTAI DISTRICT



WEB COPY

CRL OP(MD). N



22

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

ORDER

IN

CRL OP(MD) No.18785 of 2022

Date : 11/11/2022

RK/SSS/SAR- (24/11/2022) 3P/4C