



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

Date : 05/12/2022

PRESENT

**The Hon'ble Mr.Justice K.MURALI SHANKAR**

CRL OP(MD). No.21105 of 2022

WEB COPY

Mohammad Hanifa

... Petitioner/Accused

Vs

State Rep.by  
The Inspector of Police,  
Gandhi Market, Trichy City.  
Cr No.490/2021.

... Respondent/Complainant

For Petitioner : M/s.Manimaran NA, Advocate  
For Respondent : Mr.E.Antony Sahaya Prabahar,  
Additional Public Prosecutor

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

PRAYER :-

To enlarge the Petitioner/Accused on bail in Crime No.490/2021 in C.C.No.92 of 2021, Additional District Judge of Principal Special Court to EC & NDPS Act Cases, Pudukottai on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who is facing a case for the offences punishable under Sections 324, 353, 307 IPC and Sections 8(c) r/w 20 (b)(ii)(c), 25 of Narcotic Drugs & Psychotropic Substances Act, 1985, in C.C.No.92 of 2021, on the file of the learned Additional District Judge of Principal Special Court to EC & NDPS Act Cases, Pudukottai, in Crime No.490 of 2021, on the file of the respondent police, seeks bail.

2.When the matter was taken up for hearing on 29.11.2022, it was recorded that this Court, in Crl.O.P(MD)No.8249 of 2022, vide order dated 10.06.2022, directed the trial Court to complete the trial within a period of three months from the date of receipt of a copy of that order and that despite the above order, trial is yet to be commenced. Hence, this Court directed the Registry to call for report from the concerned Court.

3.In pursuance of the same, the learned Additional District Judge/Presiding Officer, Special Court for EC & NDPS Act Cases, Pudukkottai, has submitted the report dated 02.12.2022, wherein, the learned Additional District Judge has narrated the reasons for adjourning the case from 16.06.2022 to 23.11.2022.



4.The learned Additional Public Prosecutor would submit at the accused person failed to engage his Counsel and that on 30.09.2022, vakalat was filed for the accused person and the case was posted for further proceedings.

5.Considering the above facts and circumstances, this Court is not inclined to grant bail to the Petitioner and further time of two months is granted to the learned Additional District Judge of Principal Special Court to EC & NDPS Act Cases, Pudukottai, to complete the trial and dispose of the case in C.C.No.92 of 2021.

6.With the above direction, this Criminal Original Petition is disposed of.

7.Registry is directed to call for explanation from the concerned Judge for not completing the trial in C.C.No.92 of 2021, within a period of three months time and he/she has not even commenced the trial on the ground that the accused has failed to engage a Counsel.

sd/-  
05/12/2022

/ TRUE COPY /

/12/2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

- 1 THE ADDITIONAL DISTRICT JUDGE,  
PRINCIPAL SPECIAL COURT TO EC & NDPS ACT CASES,  
PUDUKOTTAI DISTRICT.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY
- 3 THE INSPECTOR OF POLICE, GANDHI MARKET, TRICHY CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

- 1 THE REGISTRAR (JUDICIAL),  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2 THE SECTION OFFICER, CRIMINAL SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SECTION OFFICER, 'B' SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.21105 of 2022  
Date :05/12/2022

LR

<https://www.mhjc.org.in> (08.12.2022) 2P-8C