



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/12/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD). No.21077 of 2022

Karthick

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
NIB-CID, Madurai
(Crime No.75 of 2019).

... Respondent/Complainant

For Petitioner : M/s.Manimaran Na,
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.75 of 2019 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 05.06.2019 for the offences punishable under Sections 8(c) r/w. 20(b), (ii) (C) and 25 of NDPS Act, in Crime No.75 of 2019, seeks bail.

2. The case of the prosecution is that based on the secret information, the defacto complainant along with police officials intercepted the vehicle bearing Regn.No.TN-59-03-30 belonging to the accused persons at about 10.40 a.m., on 05.06.2019. The respondent police surrounded the vehicle, which was ridden by A2 and A1 was a pillion rider. A1 was in possession of 23 kgs of Ganja. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that this is the third bail application and the petitioner is in judicial custody from 05.06.2019. He would further submit that charge sheet has already been filed before the I Additional District and Sessions Judge for EC and NDPS Act Cases, Madurai and the same has been taken on file in C.C.No.21 of 2020 and the same is pending. He further submitted that the incarceration of the petitioner amounts to pre-trial detention and thereby, he seeks bail.



4. The learned Additional Public Prosecutor appearing for the respondent would submit that earlier bail application was dismissed by this Court on 30.04.2021 in Crl.O.P(MD).No.4995 of 2021 taking into consideration Section 37 of NDPS Act and he prays for dismissal of this petition.

5. Considering the facts and circumstances of the case and also considering the fact that this Court has dismissed the earlier bail application by a detailed order taking into consideration Section 37 of the NDPS Act and that there are no change of circumstances, this Court is inclined to dismiss this petition.

6. Accordingly, this Criminal Original Petition is dismissed. However, the trial Court is directed to dispose of C.C.No.21 of 2020 pending on its file as expeditiously as possible, in any event, not later than six months from the date of receipt of a copy of this order.

sd/-

06/12/2022

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/12/2022

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

TRP

TO

1 THE I ADDITIONAL DISTRICT JUDGE,
(E.C & NDPS ACT), MADURAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3 THE INSPECTOR OF POLICE,
NIB-CID, MADURAI

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

COPY TO:

THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN

CRL OP(MD) No.21077 of 2022
Date :06/12/2022

SA/BUC/SAR.1/26.12.2022/2P/6C