



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/12/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.21649 of 2022

Mohamed Javid Rahman

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Ramanathapuram Town Police Station,
Ramanathapuram.
(Crime No.72 of 2022).

... Respondent/Complainant

For Petitioner : M/s.V.Kathirvelu, Senior Counsel for
M/s.Jegadeesha Pandian V M, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

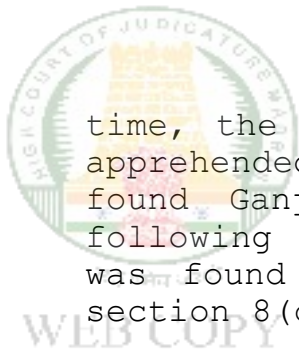
PRAYER :-

For Bail in Crime No.72 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A1 was arrested, on 15.05.2022 and remanded to judicial custody for the alleged offence punishable under Section 8(c), 20(b)(ii)(B) of NDPS Act @ 8(c) r/w 21(c) of NDPS Act, in Crime No.72 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 02.04.2022 at about 05.00 p.m., on a secrete information furnished by the informer, the police team went near Pasumpon Railway gate, two persons were identified by the police informer. They were apprehended. At that



time, the person ran away from that place and another person was apprehended. He disclosed that his name as Shebik. On search, it was found Ganja oil was in their possession, that was seized by following the procedures. Based upon the above said occurrence, it was found that oil is 1.36 kilograms, the case was altered to section 8(c) r/w 20(b)(ii)(B) of the Act.

3.This is the third bail application filed by the petitioner. The earlier applications filed by him were dismissed by considering the gravity of the offence. This Court also found that the grounds that have been raised by the petitioners are not sufficient enough to dispel the conditions set out in Section 37 of the NDPS Act.

4.Today, the learned senior counsel appearing for the petitioner would submit that if this Court is not satisfied with the arguments advanced by him, since the final report has been filed and now it is pending before the learned II Additional District Court for E.C and NDPS Act Cases, Pudukottai, in C.C.No.245 of 2022, a direction may be issued to the trial Court to expedite the trial process and complete the same within a stipulated time.

5.The learned Additional Public Prosecutor submitted that charge has already been framed by the trial Court. Now witness are going to be examined.

6.In view of the submissions made on either side and in view of the fact that the accused persons are in custody right from the date of arrest, there shall be a direction to the learned II Additional District Judge, Special Court for E.C and NDPS Act Cases, Pudukottai, to expedite the trial process in C.C.No.245 of 2022 pending on his file in respect of the Cr.No.72 of 2022 on the file of the respondent police, within a period of **three** months from the date of receipt of a copy of this order.

7.With the above directions, this criminal original petition is dismissed.

Sd/-
08/12/2022

/ TRUE COPY /

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

TM



1. THE II ADDITIONAL DISTRICT JUDGE,
SPECIAL COURT FOR E.C. AND NDPS ACT CASES,
PUDUKOTTAI.

2. THE INSPECTOR OF POLICE,
RAMANATHAPURAM TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

3. THE OFFICER INCHARGE,
DISTRICT JAIL, PUDHUKOTTAI,
PUDHUKOTTAI DISTRICT.

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

+1. CC to M/S.JEGADEESHA PANDIAN V M Advocate SR.No.14524

ORDER

IN

CRL OP(MD) No.21649 of 2022

Date :08/12/2022

SP/SSS/SAR IV/22/12/2022/3P/6C