



Crl.R.C. No.1379 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

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THE HONOURABLE MRS. JUSTICE **R.HEMALATHA**

Crl.R.C.No. 1379 of 2023

Sirilraj

...Petitioner

Vs.

State by the Inspector of Police  
E-9, Thazhambur Police Station  
Chennai  
Crime No.87 of 2022

...Respondent

Prayer : Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. against the order dated 19.01.2023 passed in Crl.M.P. No.243/2023 on the file of the Principal Special Judge EC & NDPS Court, Chennai.

For Petitioner : Mr. J. Ramesh

For Respondent : Mr.R. Vinothraja

Government Advocate (Crl. Side)

### **ORDER**

Challenging the orders dated 19.01.2023 passed in Crl.M.P. No.243/2023 by the learned Principal Special Judge EC & NDPS Court, Chennai, the present Criminal Revision is filed.

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2. The revision petitioner is the 3rd accused in Crime No.87/2022 in C.C. No.176/2023 and the charges against the accused are under Sections 8(c) r/w 20(b)(ii)(C) of the Narcotic Drugs & Psychotropic Substances Act, 1985 (for brevity "the NDPS Act"). The present revision petitioner filed a petition in Crl.M.P. No.243/2023 under Section 167(2) Cr.P.C. before the learned Principal Special Judge under EC & NDPS Act, Chennai, praying to enlarge him on statutory bail on the ground that the prosecution did not file the charge sheet within a period of 180 days. The said petition was dismissed by the trial court, vide orders dated 19.01.2023, as not maintainable since the charge sheet has already been filed on 23.12.2022.

3. The present revision petitioner was arrested on 02.04.2022 and the charge sheet in the instant case was filed on 23.12.2022. The present revision petitioner filed the abovesaid petition under 167(2) Cr.P.C. on 10.01.2023, i.e., subsequent to the filing of the final report.



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4. In the circumstances, the order passed by the trial court dismissing the petition filed by the present revision petitioner cannot be found fault with.

5. In the result,

- i. the Criminal Revision Petition is dismissed.
- ii. The orders dated 19.01.2023 passed in Crl.M.P.No.243/2023 by the learned Principal Special Judge EC & NDPS Court, Chennai, is confirmed.

**08.08.2023**

Index: Yes/No  
Internet: Yes/No  
Speaking/Non-Speaking order  
bga



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**R. HEMALATHA, J.**  
bga

To

1. The Principal Special Judge, EC & NDPS Court, Chennai.
2. The Inspector of Police  
E-9, Thazhambur Police Station  
Chennai (Crime No.87 of 2022)

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