



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/04/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.6610 of 2023

Raja ... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Viruveedu Police Station,
Dindigul District.
Crime.No.361/2021

... Respondent/Complainant

For Petitioner : M/s.Malaikani.S, Advocate.

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

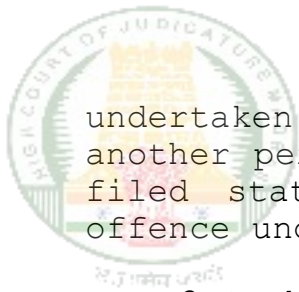
PRAYER :-

To release the petitioner/accused on bail in the case in C.C.No.96 of 2022 on the file of the Honble I Additional District and Sessions Court for EC and NDPS Act Cases, Madurai.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A1 was arrested on 05.08.2021 and remanded to Judicial Custody for the alleged offence punishable under Section 8(c) r/w 20(b) (ii)(C), 29(1) of the Narcotic Drugs & Psychotropic Substance Act, 1985, in Crime No.361 of 2021, seek bail.

2.The case of the prosecution is that on 05.08.2021 on a secrete information by the police informer, the complaint along with the police team inspected and searched a thatched shed at about 12.00 noon. At that time, the persons were identified by the police informer. When they enquired the said persons, they disclosed their names as Karuppan @ Periyakaruppan and Raja. On suspicion, the gunny bag was searched. On search, it was found that 11 pockets of ganja were found. It was weighed and found 22 kgs. of ganja. Further proceedings were undertaken as per the rules and procedures. Based upon which, the case was registered and the accused persons were arrested and remanded to custody and the investigation was



undertaken. During the course of investigation the involvement of another person by name Manikandan came to know. So final report was filed stating that all the accused persons have committed the offence under Sections 8(c) r/w 20(b) (ii) (C) of the NDPS Act.

3. Seeking bail, the petitioner filed a petition in Crl.O.P. (MD).No.9439 of 2022. That petition was taken up for hearing along with Crl.O.P.(MD).No.9444 of 2022. Both petitions were dismissed by this Court since Section 37 of NDPS Act has not been satisfied.

4. Now the present bail application has been filed by A1. The learned Additional Public Prosecutor would submit that now major portion of the trial process is over. PW1 was examined on 24.04.2023 and only one witness namely the Investigating Officer is going to be examined.

5. Since the trial process is going to be completed and considering the fact that there is no change of circumstances, this Court is not inclined to entertain this bail application.

6. Accordingly, this criminal original petition is dismissed.

sd/-

26/04/2023

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/05/2023

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

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TO

- 1 THE I ADDITIONAL DISTRICT AND
SESSIONS JUDGE FOR EC AND NDPS ACT CASES, MADURAI.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 3 THE INSPECTOR OF POLICE, VIRUVEEDU POLICE STATION,
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.6610 of 2023

Date : 26/04/2023

RS//SAR-(24.05.2023) 2P 5C