



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20.04.2023
PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.6627 of 2023

Abul @ Abulkasim

... Petitioner/Accused 2

Vs

State rep., by
The Inspector of Police,
Ramnad NIBCID Police Station,
Ramnad District.
(Crime No.79 of 2017)

... Respondent/Complainant

For Petitioner : Mr.S.SELVAKUMAR, 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.79 of 2017 on the file of the Respondent police.

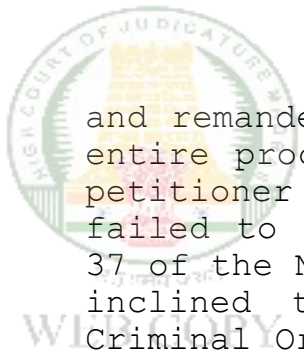
ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 18.02.2023 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) and 25 of NDPS Act, in Crime No.79 of 2017 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 11.12.2017 at about 10.45 hours, based on the secret information, the respondent police conducted the ride from Kuncharvalasai, Ramnad to Rameshwaram Road, at that time, the accused person riding a car bearing Registration No.TN 22 CC 8667 and the same was intercepted by the police and found 8 gunny bags containing totally 160kgs of Ganja. Thereafter, the respondent police arrested the accused person. Hence, the complaint.

3. Heard both sides and perused the materials available on record including the First Information Report.

4. It is seen that there are totally two accused, in which, the petitioner is arrayed as A2. The petitioner along with other accused were found in possession of contraband weighing 160kgs. Since the petitioner escaped from the scene of occurrence, he was not arrested on the date of arrest of A1. However, he was arrested



and remanded to judicial custody only on 18.02.2023, there: ie entire proceedings of the trial has been stalled. That apart, the petitioner involved in another similar case. Since the petitioner failed to fulfil the twin conditions as contemplated under Section 37 of the NDPS Act in order to satisfy this Court, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. Since the crime is of the year 2017, the trial Court is directed to complete the trial in CC.No.33 of 2021 in Crime No.79 of 2017 within a period of six months from the date of receipt of a copy of this order.

sd/-
20/04/2023

/ TRUE COPY /

/05/2023

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

RMK

TO

- 1 THE ADDITIONAL DISTRICT & SESSIONS JUDGE /
PRESIDING OFFICER,
SPECIAL COURT FOR EC & NDPS ACT COURT,
PUDUKOTTAI.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
RAMNAD NIBCID POLICE STATION,
RAMNAD DISTRICT.
- 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.

ORDER

IN

CRL OP(MD) No.6627 of 2023
Date :20/04/2023

SA/25.05.2023/2P/7C