



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/06/2023

PRESENT

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

CRL OP(MD). No.9271 of 2023

L.Sasikumar ... Petitioner/Accused No.1

Vs

1.The Deputy Superintendent Of Police,
Nib-Cid, Dindigul,
Dindigul District.

2.The Inspector of Police,
Chatrapatti Police Station,
Dindigul District..

... Respondents/Complainants

For Petitioner : M/s.Vivek Bharathi M,Advocate

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

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

PRAYER :-

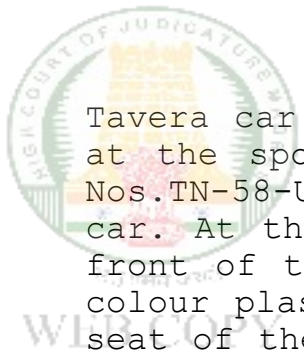
To enlarge the petitioner on bail in CC No.580/2021 in Crime No.36/2021 on the file of R1.

ORDER : The Court made the following order :-

The petitioner/Accused No.1 who was arrested and remanded to judicial custody on 02.02.2023 for the offences under Sections 8(c), 20(b)(ii)(c), 25 and 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.36 of 2021 on the file of the first respondent Police, seeks bail.

2.The case of the prosecution is that on 10.05.2021 at about 08.30 hours when the second respondent had received information from his secret informant that the petitioner is going to exchange ganja near Virupachi Kanavai Thootham and mounted surveillance, the second respondent noticed a two-wheeler bearing Registration No.TN-37-U-4974 driven by one person near

On the main road, Virupachi Kanavai Thootham, followed by



Tavera car bearing Registration No.TN-36-8263. The said car was stopped at the spot and at that time, 2-two wheeler bearing Registration Nos.TN-58-U-2084 and MH02AN6699 driven by two persons went near the car. At that time, one person from the car and one person came in front of the car in a two-wheeler got down and took out two white colour plastic gunny bags from the car and kept them in the middle seat of the car and handed over the same to the person who came to the spot in two motorbikes. When the second respondent with his team attempted to secure the persons, who got down from the car and the person who came in two-wheeler in front of the car ran away from the scene. The other persons were secured and they are Karthick and Saravanan. On enquiry, it came to light that the persons, who ran away from the scene are Sasikumar and Jesuraja. The second respondent after completing the necessary formalities under NDPS Act seized 25 kgs of ganja from the said Karthick in one plastic gunny bag and seized another 25 kg bag of ganja from one Saravanan in the second gunny bag. The second respondent after taking samples drew Mahazar and recorded the confessions of both the accused and arrested them. The vehicles were also seized and later registered a case in Crime No.157 of 2021 under Section 8(c) r/w 20(b)(ii)(c) of NDPS Act and took up the investigation.

3.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4.This is the second bail petition. The earlier petition dismissed by this Court on 15.03.2023.

5.Now the petitioner seeks interim bail on medical ground, since the petitioner was suffering from tuberculosis disease. In this regard, the learned Additional Public Prosecutor would submit that proper treatment is given in the hospital to the petitioner. In this case, so far prosecution has examined three witnesses.

6.In view of the above, this Court finds no change in circumstances to enlarge the petitioner on bail. Accordingly, this Criminal Original Petition stands dismissed. However, the respondent is directed to permit the relatives of the petitioner to take care of his health, while he is taking treatment in the hospital.

sd/-
05/06/2023

/ TRUE COPY /

/06/2023

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

pnm



TO

1. THE DEPUTY SUPERINTENDENT OF POLICE,
NIB-CID, DINDIGUL,
DINDIGUL DISTRICT.

2. THE INSPECTOR OF POLICE,
CHATRAPATTI POLICE STATION,
DINDIGUL DISTRICT.

3 THE OFFICER IN CHARGE,
DISTRICT PRISON, DINDIGUL.

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

+1 CC to M/s.M.VIVEK BHARATHI, Advocate (SR-8015[I] dated
05/06/2023)

ORDER

IN

CRL OP(MD) No.9271 of 2023

Date :05/06/2023

RK/VR/SAR- (12/06/2023) 3P/6C