



WEB COPY

CRL OP(MD). A



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11486 of 2023

C.Kumar @ Sivakumar

... Petitioner/Accused No.4

Vs

State represented by
The Inspector of Police,
NIB-CID, Nagapattinam.
Crime No.15 of 2020.

... Respondent/Complainant

For Petitioner : Mr.NA.Manimaran, Advocate.
For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

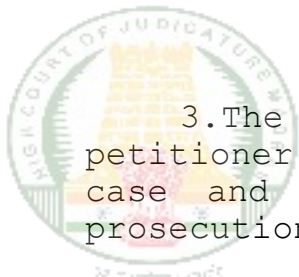
PRAYER :-

For Bail in Crime No.15 of 2020 on the file of the respondent Police

ORDER : The Court made the following order :-

The petitioner/ sole accused herein, who was arrested on 25.04.2022 for the alleged offence under Sections 8(c) r/w. 20(b) (ii)(C), 29(1) and 25 of NDPS Act, in Crime No.15 of 2020 on the file of the respondent Police, seek bail.

2.The case of the prosecution is that on 21.07.2020 at about 11.30 p.m., near Pushpavanam Seashore Area, the defacto complainant along with the Police team were on their duty, at that time, the Police informer identified two boats. One of the boats identified by the Police informer, stating that the contraband is about to be transported to Srilanka through this boat. At that time on 22.07.2020 at about 2.00 a.m., two persons came to the above said boat along with two bags and loaded the same in the boat. At that time, the Police team intercepted and enquired them. They revealed their name and from them, 36 kgs of ganja were seized, apart from one cell phone. During the course of investigation, the involvement of other persons also came to light and the petitioner was arrested and remanded to judicial custody.



3.The learned counsel for the petitioner submitted the petitioner is innocent person and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor submitted that the earlier bail applications that was filed by this petitioner are dismissed, on the ground that very serious allegation is made against the petitioner and there is no change of circumstances from the earlier order.

5.Report has been called for from the learned Principal District Judge, Thanjavur, wherein it has been stated that the Presiding Officer's post is kept vacant.

5.Considering the gravity of offences and considering the fact that there is no change of circumstances, this Court is not inclined to grant bail to the petitioner. Hence, this petition deserves dismissal and accordingly dismissed.

sd/-

04/07/2023

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/07/2023

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

INDU

TO

1 THE OFFICER INCHARGE, DISTRICT PRISON, TRICHY.

2 THE INSPECTOR OF POLICE, NIB-CID, NAGAPATTINAM.

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

COPY TO

THE PRINCIPAL DISTRICT JUDGE,
THANJAVUR.

ORDER

IN

CRL OP(MD) No.11486 of 2023

Date :04/07/2023

RS//SAR-(07.07.2023) 2P 5C