



CRL OP(MD). No.14856 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14856 of 2023

Dinesh

... Petitioner / Accused No.5

Vs

State through
The Inspector of Police,
Pettai Police Station,
Tirunelveli City,
Tirunelveli District.
(Crime No. 288/2021).

... Respondent / Complainant

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

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

PRAYER :-

To release the petitioner/accused on bail in CC No.1125/2022 on the file of the Learned Special Court for EC and NDPS Act Cases, Madurai Crime No.288/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner/Accused No.5 herein, who was arrested on 01.06.2023 for the alleged offences under Sections 8(c), 20(b)(ii)(c) and 29(1) of NDPS Act, 1985, in Crime No.288 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 28.08.2021 at about 09.00 hours, based on the secret information received by the Sub Inspector of Police, the respondent police conducted raid along with his police party at pettai karunkadu burial garden. At that time the accused persons were intercepted and found carrying a bag containing 25 kgs of ganja. Hence, the case.

3.After completing the investigation final report was filed before the concerned Court and the same was taken cognizance in C.C.No.1125 of 2022, pending on the file of the Special Court for EC & NDPS Act Cases, Madurai.

4.The learned Additional Public Prosecutor would submit that so far as this petitioner is concerned, he is involved in six previous cases. Out of which two are similar in nature. Apart from that it has been submitted that from the inception, he was absconding and now only secured. If he is released on bail again he will be absconding and hamper the trial process.

5.Reading of the report received from the trial Court shows that because of the non appearance of the petitioner, the case was split up against him and proceeded against co-accused. In this matter it was posted to 30.08.2023 for examination of



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witness.

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6.Let the respondent produce the witnesses before the trial Court on that date.

After the examination of material witnesses is over, the petitioner can revive his bail application before the trial Court, without reference to this Court.

7.With the above said directions, this criminal original petition stands dismissed.

sd/-
22/08/2023

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/09/2023

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

TM

To

1.The Inspector of Police,
Pettai Police Station,
Tirunelveli city,
Tirunelveli District.

2.The Superintendent,
Central Prison,
Palayamkottai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER

IN

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Date :22/08/2023

ED/VR/SAR- (07/09/2023) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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