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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/08/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD). No.15591 of 2023

M.Bhuvanesh @ Bhuvaneshwaran

... Petitioner/ Accused No.5

Vs

State rep. by
The Inspector of Police,
Kodaikanal Police Station,
Dindigul District,
Crime No.303/2022.

... Respondent/ Complainant

For Petitioner : M/s.Susi Kumar.C,
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.303 of 2022 on the file of the respondent polic

ORDER : The Court made the following order :-

The petitioner/A5 who was arrested and remanded to judicial custody on



30.11.2022 for the offences punishable under Section 8(c)r/w.20(b)(ii)(B), 20(b)(ii)(C), 25 of NDPS Act,1985 in Crime No.303 of 2022 on the file of the respondent Police, seek bail.

2. The learned counsel appearing for the petitioner would contend that the petitioner has not committed any offence as alleged by the respondent police and he has been falsely implicated in this case. He would further submit that mandatory provisions have not been followed under Sections 42(1) and 50 of the NDPS Act and therefore the bail application may be considered in his favour. He would further submit that if this Court is not inclined to allow this petition this Court may direct the trial Court to complete the trial within the stipulated time.

3. The learned Additional Public Prosecutor appearing for the respondent would contend that the petitioner was found in illegal possession of 1.100kgs of magic mushroom and the offence is grave in nature. He would further submit that investigation has been completed and final report has been filed before the NDPS Court, Madurai and the same was taken on file in C.C. No.2259 of 2023 He would further submit that one previous case is pending against the petitioner, hence he strongly objected to grant bail to the petitioner.

4. Heard both side and perused the materials available on record.

5. Though investigation has been completed and final report has been filed

before the concerned Court taking into consideration the nature of offence, this Court



is not inclined to grant bail to the petitioner at this stage.

6. Hence the petition stands dismissed. So far as completion of trial is concerned the trial Court has to decide. However trial Court is directed to expedite the proceedings and complete the trial as early as possible without giving long adjournments.

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sd/-
28/08/2023

/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

- 1 THE PRINCIPAL SPECIAL COURT FOR TRIAL OF NARCOTIC DRUGS
AND PSYCHOTROPIC SUBSTANCES ACT CASES
MADURAI
- 2 THE SUPERINTENDENT
CENTRAL PRISON
MADURAI
- 3 THE INSPECTOR OF POLICE
KODAIKANAL POLICE STATION
DINDIGUL DISTRICT



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

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ORDER
IN
CRL OP(MD) No.15591 of 2023
Date :28/08/2023

SSA/VRS/31.08.2023/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023