



CRL OP(MD). No.16829 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16829 of 2023

Dinesh

... Petitioner/ Accused No.3

Vs

State represented by
The Inspector of Police,
Pettai Police Station,
Tirunelveli City,
Tirunelveli District,
Cr.No.288 of 2021.

... Respondent/ Complainant

For Petitioner : M/s.S.SELVAKUMAR
Advocate.

For Respondent : Mr.S.RAVI
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.288 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused was arrested and remanded to judicial custody on
01.06.2023, for the offences under Sections 8(C), 20(b)(ii)(C) and Section 29(1) of

<https://www.mhfc.tn.gov.in/judis> NDPS Act, in Crime No.288 of 2021, on the file of the respondent police, seeks



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anticipatory bail.

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2. The case of the prosecution is that on 28.08.2021 at about 9.00 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. The earlier application was dismissed on 22.08.2023. Ofcourse, with a liberty to the petitioner to revive the application after examination of material witnesses are over. Again this present petition has been filed by the petitioner stating that an interim bail may be granted to him so that he can visit and see the new born child.

4. But the learned Additional public prosecutor would submit that earlier when the petitioner was granted interim bail, he failed to comply the conditions and surrender before the concerned prison. Thereafter only warrant was issued against him. If the petitioner is released on even in interim bail, he may abscond. Further it is submitted that a child was born to the petitioner not recently, but in the month of July.

5. So, the ground on which the petition came to be filed is completely out of place. It cannot be appreciated that repeated filing of application before this Court inspite of specific direction by this Court. The petitioner has to comply the direction.



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Only after the material witnesses are examined, he can revive the application. I find no reason to entertain this petition, even for considering interim bail.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
19/09/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN
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.

ORDER
IN
CRL OP(MD) No.16829 of 2023
Date :19/09/2023

SA/MGA/SAR. /06.10.2023/3P/4C

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