



CRL OP(MD). No.16527 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16527 of 2023

Wellington

... Petitioner/ Accused No.17

Vs

State Rep.by
The Inspector of Police,
Soorangudi Police Station,
Thoothukudi District.
(Crime No.142 of 2022).

... Respondent/ Complainant

For Petitioner : M/s.Sasidharan Tamilkani.S.T, 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.142 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A17, who was arrested and remanded to judicial custody 05.01.2023 for the offence under Sections 8(C) r/W 20(b)(ii) (c), 25 and 29(1) of NDPS Act in Crime No.142 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 03.10.2022 at 16.00 hours, based on the secret information received by the Sub-Inspector of Police, he along with the police party went Kalaiganapuram to



CRL OP(MD). No.16527 of 2023

Vedapatti Road, while so, they found the petitioner along with other accused to be in joint possession of 540kgs of Ganja. The said contraband was seized by the respondent police and sample has also been taken. Hence, the case.

3.The earlier application was dismissed on the ground that the contraband involved is commercial quantity and the petitioner failed to satisfy the requirements of Section 37 of NDPS Act. The contraband that was recovered is 540 kilograms of Ganja. When such huge quantity is involved, no special case has been made out by the petitioner for granting bail. Without change of circumstances, this petition has been filed only on the ground that he is in custody from 05.01.2023. The final report has not yet been filed.

4.The learned Additional Public Prosecutor would submit that proper application has been moved before the Court seeking extension of time. But other particulars are not available. Apart from that he has also submitted that based upon the call details collected during the course of investigation, the involvement of this petitioner came to light and he has also produced the call details, which is made by this petitioner with the other accused. For what purpose the above said communication was made by the petitioner has not been explained by him. With the above said chat he is in connection with the drug trafficking. It can be considered only during the course of investigation. The detailed list also provided by the learned



CRL OP(MD). No.16527 of 2023

WEB COPY

Additional Public Prosecutor as to how each and other accused is connected to the co-accused. He had conversation with A6, A12, A14, A15, A19 & A20. It shows that it is a larger scale and wide net involved in the above said trafficking. So offences of this nature requires through investigation.

5.I find no reason to entertain this petition. If the investigation is not completed within the statutory period or within the time extended by the trial Court, the petitioner can move the trial Court itself for appropriate orders, without approaching this Court.

6.Accordingly, this criminal original petition stands dismissed.

sd/-

13/09/2023

/ TRUE COPY /

/10/2023

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

TM
TO

1 THE OFFICER INCHARGE, DISTRICT JAIL, PERAORANI,
THOOTHUKUDI DISTRICT.

2 THE INSPECTOR OF POLICE, SOORANGUDI POLICE STATION,
THOOTHUKUDI DISTRICT.

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



CRL OP(MD). No.16527 of 2023

+1 CC to M/s.S.T.SASIDHARAN TAMILKANI, Advocate (SR-13577[I] dated 13/09/2023)

ORDER
IN

CRL OP(MD) No.16527 of 2023
Date :13/09/2023

RS/DD/SAR-(16.10.2023) 4P 5C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023