



CRL OP(MD) No.1951 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Thursday, the Eighth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1951 of 2024

RAJENDAR @ SIVARATHIRI RAJENDRARPRASATH

... PETITIONER / ACCUSED No.2

Vs

THE INSPECTOR OF POLICE  
NIB-CID,  
MADURAI DISTRICT.  
CRIME NO.14 OF 2022.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.J.SENTHIL KUMARAIAH Advocate

For Respondent : Mr.B.NAMBISELVAN, Additional Public Prosecutor

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

PRAYER:

To enlarge the Petitioner on bail in connection with the case in CC.No.567 of 2023 pending on the file of Learned Principal District EC and NDPS Court, Madurai.

ORDER : The Court Made the following order :-

The petitioner/A2, who is facing trial for the offences punishable under Sections 8(c) r/w 20(b)(ii)(c), 29(1) and 25 o/4f Narcotic Drugs and Psychotropic



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Substances Act, 1985 in C.C.No.567 of 2023 on the file of the Principal District EC & NDPS Court, Madurai, in Crime No.14 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that based on the secret information, on 10.12.2022 at about 07.30 p.m., the respondent police intercepted the accused persons and recovered 2 gunny bags of Ganja (each containing 26 kgs of Ganja) from them. Hence the case.

3.The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he is in judicial custody since 12.12.2022 and the investigation has been completed and the charge sheet has already been filed before the Court below and hence, this Court may issue a direction to the Trial Court to complete the trial within a reasonable time.

4.The learned Additional Public Prosecutor for the State would submit that the petitioner and other accused were found in illegal possession of 2 gunny bags of Ganja (each containing 26 kgs of Ganja), which is a commercial quantity and in this case, investigation has been completed and the charge sheet has already been filed before the concerned Court. He would further submit that the petitioner has not satisfied the twin conditions as required under Section 37 of the NDPS Act. Hence, he opposed to grant bail to the petitioner.



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the case.

5. Heard the learned counsel on either side and perused the material records of the case.

6. Considering the fact that the contraband involved in this case is a commercial quantity and considering the fact that the petitioner has not satisfied the twin conditions as required under Section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioner.

7. In the result, this Criminal Original Petition is dismissed. However, the learned Principal District EC & NDPS Court, Madurai, is directed to complete the trial as expeditiously as possible.

sd/-  
08/02/2024

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/02/2024  
Sub-Assistant Registrar  
( C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

SJI

TO

- 1 THE PRINCIPAL DISTRICT  
EC AND NDPS JUDGE, MADURAI.
- 2 THE INSPECTOR OF POLICE  
NIB-CID,  
MADURAI DISTRICT.



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3 THE OFFICER INCHARGE,  
CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.J.SENTHIL KUMARAI AH, Advocate ( SR-1620[I] dated 08/02/2024 )

ORDER  
IN  
CRL OP(MD) No.1951 of 2024  
Date :08/02/2024

SS/JGB/SAR- /13/02/2024/4P/6C

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