



CRL OP(MD) No.2539 of 2024

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

Monday, the Nineteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2539 of 2024

VEDHAIYAN @ RAVI

... Petitioner / Accused No.1

Vs

THE INSPECTOR OF POLICE
NIB CID,
NAGAPATTINAM DISTRICT,
(CRIME NO. 6/2023)

... Respondent / Complainant

For Petitioner : M/s.A.Arun Prasad, Advocate

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

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

PRAYER : FOR BAIL IN CRIME NO.6/2023 ON THE FILE OF THE RESPONDENT
POLICE

ORDER : The Court Made the following order :-

The petitioner / Accused No.1, who is facing trial in C.C.No.4 of 2024 on the
file of the Additional Special Court under Essential Commodities Act, Thanjavur for
the alleged offence punishable under Sections 8(c) r/w 20 (b) (ii) (B) of NDPS Act in



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Crime No.6 of 2023, seeks bail.

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2. The case of the prosecution is that the petitioner was found in possession of 50kgs of Ganja and the respondent Police seized the contraband. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that two previous cases are pending against the petitioner and the offence involved in these previous cases are similar in nature. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the contraband which was recovered from the petitioner is a commercial quantity and also considering the fact that the petitioner is not satisfied the twin conditions as required under Section 37 of the NDPS Act, 1985, this Court is not inclined to grant anticipatory bail to the petitioner. However, after the seizure procedure is over, the concerned Magistrate and the respondent Police are directed to comply with the guidelines enumerated under section 52(A) of NDPS Act and as per the guidelines issued by the Hon'ble Supreme Court of India in the



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case of Union of India Vs. Mohanlal and Another ((2016) 3 SCC 379).

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6. At this juncture, the learned counsel appearing for the petitioner would submit that the trial is in progress. He would further submit that the petitioner is suffering from dialysis and now, he is taking treatment in the Prison Hospital. Hence, this Court may issue a direction to the learned Special Judge to complete the trial.

7. In view of the above, the Criminal Original Petition stands dismissed. However, the learned Additional Special Judge under Essential Commodities Act, Thanjavur is directed to complete the trial in C.C.No.4 of 2024 as expeditiously as possible.

sd/-
19/02/2024

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

TSG

To

1.The Additional District Judge / Presiding Officer,
Special Court under Essential Commodities Act, Thanjavur.



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2.The Inspector of Police,
NIC CID,
Nagapattinam District.

3.The Superintendent,
Central Prison, Trichy.

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

ORDER
IN
CRL OP(MD) No.2539 of 2024
Date :19/02/2024

ED/ VR /SAR- (22/02/2024) 4P / 5C

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