



CRL OP(MD) No.4166 of 2024

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

Tuesday, the Twenty Sixth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4166 of 2024

SANJAYKUMAR

... Petitioner / Accused No.3

Vs

THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION,
MADURAI CITY.
(CRIME NO.423/2023)

... Respondent / Complainant

For Petitioner : Mr.R.Anand, Advocate
for M/s.V.Moushica, Advocate

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

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

PRAYER : FOR BAIL IN CRIME NO. 423/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-



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The petitioner/A3, who was arrested and remanded to judicial custody on 22.09.2022 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) of NDPS Act, 1985 in Crime No.423 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 04.09.2023 at about 08.00 hrs, the respondent police received a secret information from his informer and based on the same, the respondent police along with the other police officials went near Keelmadurai Railway Station and they surrounded and secured A1 to A3 and recovered 21 kgs of Ganja from them. Hence, the case.

3.The learned counsel for the petitioner would submit that the earlier bail application filed by the petitioner in CrI.O.P.(MD)No.19018 of 2023 was dismissed by this Court on 08.01.2024 directing the Commissioner of Police to appoint one Enquiry Officer to conduct enquiry and take appropriate action within a period of six weeks from the date of receipt of a copy of that order. However, the said direction of this Court has not been complied with by the Commissioner of Police. Hence, the petitioner has filed the present petition before this Court.

4.The learned Additional Public Prosecutor would submit that pursuant to the direction issued by this Court, the Commissioner of Police appointed one Tmt.B.Kamatchi, Assistant Commissioner of Police, Madurai Range, Madurai City, instructing her to re-enquire the case and submit a report within 48 hours.



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Accordingly, the Assistant Commissioner of Police conducted a detailed enquiry after hearing the petitioner and other accused persons and filed a report on 18.03.2024. Hence, the order passed by this Court has been strictly complied with and there is no change of circumstances arises for considering the present bail application.

5.Since the order passed by this Court dated 08.01.2024 has been complied with and there is no change of circumstances in the present case, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
26/03/2024

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/03/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

To

1.The Inspector of Police,
Theppakulam Police Station,
Madurai City.

2.The Superintendent,
Central Prison, Madurai.



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

Copy to:

The Commissioner of Police,
Madurai.

ORDER
IN
CRL OP(MD) No.4166 of 2024
Date :26/03/2024

ED/ GS /SAR- (02/04/2024) 4P / 5C

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