



CRL OP(MD) No.4843 of 2024

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

Wednesday, the Twenty Seventh day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4843 of 2024

RAJKUMAR

... PETITIONER / 4th ACCUSED

Vs

THE INSPECTOR OF POLICE
KEERAITHURAI STATION,
MADURAI CITY.

CRIME NO.413/2021

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.NAVEEN KUMAR.S.P Advocate

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

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

PRAYER:

FOR BAIL IN CRIME NO. 413 OF 2021 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-

The petitioner/A4 who was arrested and remanded to judicial custody on
27.04.2022 for the offences under Sections 25(1B), 20(b)(ii)(c), 25, 29(1) of IPC and
8(c) of NDPS Act in Crime No.413 of 2021 on the file of the respondent Police, seeks
bail.



CRL OP(MD) No.4843 of 2024

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2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 30 kgs of ganja which is a commercial quantity. Hence, the Law Enforcing Authority registered a case against the accused.

3. The learned Counsel for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that this is the second bail petition. Earlier petitions filed by the petitioner in Crl.OP(MD) Nos.29 of 2023 and 22320 of 2023 were dismissed by this Court, on 31.01.2023 and 04.01.2024 respectively. He further submits that A3 was already released on bail by this Court and the petitioner has been suffering incarceration from 27.04.2022. Hence, he seeks for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor submits that examination of prosecution witnesses is almost over. He further submits that since A3 has no previous case, he was released on bail by this Court. But, the petitioner herein is having one previous case under Section 302 IPC. Hence, there is no change of circumstances, he vehemently opposed for grant of bail to the petitioner.



CRL OP(MD) No.4843 of 2024

WEB COPY

5. Considering the facts and circumstances of the case and also considering the fact that since A3 has no previous case and no recovery was made from him, bail was granted by this Court. Further, the petitioner is involved in a case under Section 302 IPC. Hence, there is no change of circumstances. Further, if he is released on bail, it will lead to prolong the trial.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-

27/03/2024

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/04/2024

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

INDU

TO

- 1 THE INSPECTOR OF POLICE
KEERAITHURAI STATION, MADURAI CITY.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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ORDER
IN
CRL OP(MD) No.4843 of 2024
Date :27/03/2024

SS/GS/SAR- /16/04/2024/4P/4C

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