



CRL OP(MD). No.4941 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/06/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.4941 of 2024

Gopi,

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
NIBCID Sivagangai Police Station,
Sivagangai District.
Cr.No.1/2023.

... Respondent/Complainant

For Petitioner : Mr.S.Abdul Rahuman,
Advocate.

For Respondent : Mr.T.Senthil Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

To enlarge the petitioner Accused No.4 on bail in CC.No.178/2023 on the file of the Learned II Additional District Judge for EC and NDPS Act Cases Pudukottai in Cr.No.1/2023 on the file of the Respondent and to pass such further or other orders.



CRL OP(MD). No.4941 of 2024

ORDER: The Court made the following order :-

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The petitioner/A4, who was arrested on 12.01.2023 for the offences punishable under Sections 8(c) r/w 20(b), (II) (C) 25 and 29(1) of NDPS Act and Section 468, 471 and 420 of IPC in connection with Crime No.1 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 07.01.2023, on secret information, the respondent police has intercepted a Car bearing Registration No. TN 01 AY 3129 and recovered 196 kgs of ganja and four number plates from A1 and A6. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He has been implicated in this case based on the confession statement of the first accused. He further submits that the entire contraband has been recovered from A1 and A6. Therefore, the learned counsel prays this Court to enlarge the petitioner on bail.

4.The learned Additional Public Prosecutor appearing for the respondent police strongly opposes for grant of bail to the petitioner and submits that though



CRL OP(MD). No.4941 of 2024

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the contraband has been recovered from A1 and A6, as per the materials collected by the Investigating Agency, this petitioner is having frequent contact with A1, that too for 143 times. Apart from this, this petitioner is also having contact with A2, A5 and A3, who are involved in this case. He further submits that in CC No.178 of 2023, out of 35 witnesses, 24 witnesses have already been examined.

5.In view of the submission made by the learned Additional Public Prosecutor that the petitioner is having frequent contact with the co-accused and 24 witnesses have already been examined in CC No.178 of 2023, which is pending on the file of the Special Court for EC and NDPS Act Cases, Pudukottai, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed. However, considering the period of incarceration, the trial Court is directed to conclude the trial within a period of four months from the date of receipt of a copy of this order.

sd/-

03/06/2024

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

VRN



CRL OP(MD). No.4941 of 2024

TO

- 1 THE JUDGE,
SPECIAL COURT FOR EC AND NDPS ACT CASES, PUDUKOTTAI.
- 2 THE II ADDITIONAL DISTRICT JUDGE
FOR EC AND NDPS ACT CASES PUDUKOTTAI
- 2 THE INSPECTOR OF POLICE
NIBCID SIVAGANGAI POLICE STATION, SIVAGANGAI 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.4941 of 2024

Date :03/06/2024

SS/VR/SAR- /14/06/2024/4P/5C

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