



CRL OP(MD). No.7667 of 2024

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

Date : 11/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.7667 of 2024

Dhilipkumar

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Theppakulam Police Station,
Madurai City.
(Crime No.264 of 2023.)

... Respondent/Complainant

For Petitioner : Mr.S. Maya Perumal, Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioner/ Accused No.4 on bail in in C.C.No.1017 of 2023 on the file of the learned Principal Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Madurai, in connection with Crime No.264 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who is an accused in C.C.No.1017 of 2023 on the file of the



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learned Principal Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Madurai, has filed this application seeking bail. The said case was registered for the offence under Sections 20(b)(ii)(c), 29(1) and 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.264 of 2023 on the file of the respondent police.

2.The case of the prosecution is that on secret information, on 13.06.2023, at about 07.00 a.m, the respondent police went to Muniyandi Temple near Madurai Railway Station and found the accused in possession of 24 Kg of Ganja. Hence the case.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the contraband has been recovered from A1 and in this case, investigation has been completed, the charge sheet has already been filed and the same has been taken on file in C.C.No.1017 of 2023.

4.The learned Additional Public Prosecutor for the State submits that this is the petitioner's second application for bail and the earlier application in CrI.O.P.(MD) No.689 of 2024 was dismissed by this Court on 22.01.2024. He has also denied the submission of the learned counsel for the petitioner that all the accused have been arrested along with the contraband from the same place on the same day. He further



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submits that the trial has commenced and the case is posted for trial on 04.07.2024.

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5.Considering the earlier order passed by this Court and the petitioner has not satisfied the twin conditions as contemplated under Section 37 of the NDPS Act and also considering the fact that the trial has commenced and the case is posted for trial on 04.07.2024, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed with a direction to the learned Principal Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Madurai, to conclude the trial and dispose of the case in C.C.No.1017 of 2023, within a period of four months from the date of receipt of a copy of this order.

sd/-
11/06/2024

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/06/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

To

1.The Additional District Judge,
Principal Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act
Cases, Madurai.



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

3.The Superintendent,
Central Prison, Madurai.

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

ORDER
IN
CRL OP(MD) No.7667 of 2024
Date :11/06/2024

ED/ JGB /SAR- (20/06/2024) 4P / 5C

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