



CRL OP(MD).No.9131 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.9131 of 2024

Karthik Balu

... Petitioner/ Accused No.6

Versus

The Inspector of Police,
Thadikombu Police Station,
Dindigul District.
(Crime No.224/2022)

... Respondent/ Complainant

For Petitioner : Mr.R.Venkateswaran, Advocate

For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor

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

PRAYER :-

To enlarge the Petitioner/ Accused No.6 on bail in C.C.No.527 of 2023 on the file of the Ist Additional Special Court for Trial of NDPS Act cases, Madurai on the file of the respondent/complainant.

ORDER : The Court made the following order :-

The petitioner is facing a charge of offence under Sections 8(c) r/w. 20(b)(ii)(C), 25, 27(A) and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in C.C.No.527 of 2023 on the file of the I Additional Special Court for trial of NDPS Act cases, Madurai and he is languishing in jail from 19.07.2023. Therefore, the petitioner has filed this petition seeking bail.



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2. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person, however, he has been implicated as an accused, based on the confession statement of the co-accused. He further submits that there is no recovery of contraband from the petitioner. Except the confession statement of the co-accused, there is no other material against the petitioner. Hence, he prays for grant of bail to the petitioner.

3. The learned Additional Public Prosecutor opposes for grant of bail to the petitioner on the ground that apart from this case, the petitioner is having six previous cases of similar in nature, out of which, in one of the cases in Crime No.141 of 2009, the petitioner was found guilty and sentenced to undergo rigorous imprisonment for three years, by Judgment dated 31.01.2024 and now, he is in jail.

4. Considering the nature of offence, the antecedent of the petitioner and also considering the fact that in Crime No.141 of 2009, the petitioner was sentenced to undergo three years rigorous imprisonment, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed.

sd/-

21/06/2024

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



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1 THE JUDGE,
I ADDITIONAL SPECIAL COURT FOR TRIAL OF NDPS ACT CASES, MADURAI.

2 THE INSPECTOR OF POLICE, THADIKOMBU POLICE STATION,
DINDIGUL DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.9131 of 2024

Date :21/06/2024

RS/VR/SAR-(05.07.2024) 3P 5C

Madurai Bench of Madras High Court is issuing
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