



CRL OP(MD). No.11500 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/07/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.11500 of 2024

Kannan

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.
Crime No.57/2024.

... Respondent/Complainant

For Petitioner : M/s. Venkateswaran.R.

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

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

PRAYER :-

For Bail in Crime No. 57 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The respondent police registered a case as against the petitioner in Crime No.57 of 2024 for the offence under Sections 8(c) r/w 22(c) and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, and remanded him into judicial custody on 18.02.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioner and the other accused were found in joint possession of 55 grams of Magic Mushroom. Hence the case.

3.The earlier application in CrI.O.P(MD)No.8443 of 2024 was dismissed by this Court by considering the stage of investigation and the objections raised by the learned Additional Public Prosecutor.

4. The learned counsel for the petitioner submits that in this case, this Court has granted bail to the third accused and that apart there is no recovery from the petitioner. Therefore, he prays for grant of bail.

5. The learned Additional Public Prosecutor appearing for the respondent submits that the petitioner is hailing from the State of Kerala and working as a Room Boy in the third accused's lodge. At the time of occurrence, the third accused was not available in the place of occurrence. Therefore, this Court has granted bail to the third accused. He further submits that the investigation is still pending and during



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the non-seasonal period, the petitioner was living in the interior forest area and arranged the magic mushroom for the first accused.

6. Since the investigation is not completed, this Court is not inclined to grant bail to the petitioner. The respondent police is directed to conclude the investigation as expeditiously as possible. The petitioner shall renew his application after filing of the final report and based on the materials on which, the final report is filed as against the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
29/07/2024

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/08/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE INSPECTOR OF POLICE
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.



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2 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

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

ORDER

IN

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Date :29/07/2024

MGJ/JGB/07.08.2024/4P/4C

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