



CRL OP(MD). No.13967 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13967 of 2024

A.Ajithkumar,

... Petitioner/ Accused 5

Vs

The Inspector of Police,
NIB CID
Trichy District.
Crime No.17 of 2023.

... Respondent/ Complainant

For Petitioner : M/s. Krishnaveni.P,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime no.17 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody
on 27.12.2023 for the alleged offence punishable under Sections 8(c) r/w 20(b)(ii)(C)



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of the NDPS Act, 1985 in Crime No.17 of 2023, on the file of the respondent Police,
seeks bail.

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2. The case of the prosecution is that based on the secret information, the respondent Police seized 20.780 Kgs of Ganja from the Accused. Hence, the complaint.

3. The learned counsel for the petitioner would submit that merely because the petitioner had some antecedents, he has been implicated in this case. The contraband was not recovered from the petitioner. Simply because A3 asked him to come the car and pick him up, the petitioner is arrayed as an accused. Except for the confession of co-accused, there is absolutely no material as against the petitioner. The petitioner is languishing in prison from 27/12/2023. The trial itself is not even commenced. In view thereof, The learned counsel relying upon the judgment of the Honourable Supreme Court of India in State by (NCB) Bengaluru V. Ppallulabid Ahmad Arimutta and another (SLP (criminal) No.242 of 2022, would pray that this Court should consider and enlarge the petitioner on bail.

4. I have considered the submissions made by the learned counsel of the petitioner.

5. This is a case where the total of 20.780 Kgs of Ganja was seized from A1 and A2. when they were alighting from the railway station, the allegation is that further to



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transport the contraband and to reach its destiny, the petitioner was waiting to pick up A1 and A2, from the railway station in the car. The prosecution is relying upon the CDR details, to show that there is complicity between the petitioner and the other accused, even subsequent to the arrest, thrice, he called that number after absconding from the scene.

6. Considering the nature of allegations in this case and that the second accused is already absconding and the case is split up and the present case is now posted to 16.10.2024 for the presence of all the accused and for the purpose of engaging counsel, at this juncture, I am not inclined to enlarge the petitioner on bail, this petition stands dismissed.

7. Considering the fact that the petitioner and the other accused are inside, the prosecution is requested to expedite the trial and the copy of this order shall also be produced before the Special Court and the Special Court shall endeavour to take up the matter for disposal as expeditiously as possible.

sd/-
20/09/2024

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/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE PRINCIPAL SPECIAL JUDGE
FOR TRIAL OF NDPS ACT CASES, MADURAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

3 THE INSPECTOR OF POLICE,
NIB CID
TRICHY DISTRICT.

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

ORDER IN
CRL OP(MD) No.13967 of 2024
Date :20/09/2024

SA/JGB/SAR. /16.10.2024/4P/5C

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