



CRL OP(MD). No.14081 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14081 of 2024

Sugumaran,

... Petitioner/3rd Accused

Vs

**The Sub Inspector of Police,
Chekanurani Police Station,
Madurai District.
In Cr.No.398/2023..**

... Respondent/Complainant

For Petitioner : M/s.Venkatesan M, Advocate.

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

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No.398/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on

<https://www.mhc.tn.gov.in/judis>



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28.10.2023 for the offences punishable under Sections 8(c), 20(b)(ii)(c), 25, 29(1) of NDPS Act, in Crime No.398 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused were found in illegal possession of 44 kg of Ganja. Hence, the complaint.

3.Heard both sides.

4.The learned counsel for the petitioner would submit that merely because the petitioner happened to be a wayfarer and was passing through when the Innova car was intercepted, the petitioner was also arrayed as an accused in this case. The petitioner is under incarceration from 28.10.2023. The petitioner does not have any antecedents with reference to NDPS cases. Therefore, there is no imminent possibility of the trial concluding, and therefore, when the incarceration goes beyond enough time, this Court should enlarge the petitioner on bail.

5. The petition is opposed by the learned Additional Public Prosecutor on the ground that the total contraband recovered in this case is 44kgs of ganja and the petitioner was also arrested on the spot. He was found to be riding the motorbike as a pilot in front of the Innova car, from which the contraband was recovered and considering the fact that the bike belonged to A1, which the petitioner was riding.

There is prime facie material to show about the involvement of the petitioner.

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6. In view thereof, this is not a fit case for enlarging the petitioner on bail.

However, since the petitioner is in jail from 28.10.2023, the prosecution is duty bound to conduct the trial in a speedy manner. It is stated that A6 is absconding. A copy of this order shall be placed before the trial court and if necessary, the case can be split up and the trial can be proceeded against these persons. The Principal Sessions Court for EC and NDPS Act Cases, Madurai, is also requested to take up the case for expeditious disposal.

7. With the above observations, the Criminal Original Petition is dismissed.

sd/-
03/09/2024

/ TRUE COPY /

/ 09 / 2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1 THE JUDGE
PRINCIPAL SESSIONS COURT FOR EC AND NDPS ACT,
MADURAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.



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3. THE SUB INSPECTOR OF POLICE
CHEKANURANI POLICE STATION,
MADURAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.14081 of 2024
Date :03/09/2024

PSP/ JGB /SAR /20.09.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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