



CRL OP(MD). No.14079 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.09.2024

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14079 of 2024

Sivachandran

... Petitioner/ Accused No.6

Vs

State represented by
The Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.
Crime No.164 of 2023

... Respondent/ Complainant

For Petitioner : Mr.M.Jegadeesh Pandian, Advocate

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

To enlarge the petitioner on bail in 164 of 2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

This Petition is filed to enlarge the petitioner on bail in Cr.No.164 of 2023 on the file of the Inspector of Police, Tiruchendur Police Station, Thoothukudi District.

2.The petitioner/Accused No.6, who was arrested and remanded to judicial custody on 10.05.2023 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) and 25 of NDPS Act, in crime No.164 of 2023, on the file of the respondent police, seeks bail.

3.The case of the prosecution is that based on the secret information received by the Police party, when the respondent police conducted an inspection at Thiruchendur to Tirunelveli road and on seeing the police party, the petitioner and the other accused persons had run away from the scene of occurrence, the respondent police apprehended one Ramesh and enquired him and thereafter found 3 bags each containing 40kgs of ganja.

4.The learned counsel for the petitioner submitted that the petitioner is not at all present in the scene of occurrence. The only allegation is that the vehicle in question belongs to the petitioner, except that there is no other recovery from the petitioner. Hence, he prays for bail.

5.Earlier applications filed by the petitioner were dismissed by this Court, vide order dated 27.09.2023 and 15.03.2024.

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6.The learned Additional Public Prosecutor submitted that the investigation has been completed and the final report has also been filed before the concerned Court.

7.According to the learned Additional Public Prosecutor appearing for the respondent police, recovery has been made from the vehicle, which belongs to this petitioner and he has not satisfactorily explained the possession and discharged his duty under Section 37 NDPS Act.

8.Since the investigation has been completed and a charge sheet has been filed and the same has been taken on file in C.C.No.160 of 2024 before the Special Court for EC, Act cases, Madurai and now the case is posted for examination of witnesses. So, the petitioner can approach the trial Court for bail. If such application is filed, it may be considered by the trial Court, without being influenced by the observation made by this Court in the earlier orders. Hence, this Criminal Original Petition is dismissed.

sd/-
11/09/2024

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12 / 09 /2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

NS



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TO
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- 1 THE JUDGE
SPECIAL COURT FOR EC, ACT CASES, MADURAI.
- 2 THE INSPECTOR OF POLICE
TIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT.
- 3 THE OFFICER INCHARGE
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.14079 of 2024
Date :11/09/2024

PSP/ /SAR /12.09.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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