



CRL OP(MD). No.14168 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14168 of 2024

R.Senthil

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
NIB-CID,
Dindigul District,
Crime No. 02 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Manimaran.Na, Advocate.

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

PRAYER :-

To release the Petitioner / Accused No.3 bail in Crime No.02/2022 in CC No.194 of 2022 before I Additional District and Session Judge for EC and NDPS Act Cases, Madurai on the file of the respondent Police.

ORDER : The Court made the following order :-

This Petition is filed to release the petitioner / Accused No.3 bail in Crime No.02 of 2022 in C.C.No.194 of 2022 before the I Additional District and Session Judge for EC and NDPS Act Cases, Madurai on the file of the respondent Police.

2.The petitioner/ Accused, who was arrested and remanded to judicial custody



CRL OP(MD). No.14168 of 2024

on 08.05.2024 for the offences punishable under Section 8(c) r/w. Sections 20(b)(ii)(C) and 25 of NDPS Act, in crime No.02 of 2022 on the file of the respondent police, seeks bail.

3.The learned counsel for the petitioner would submit that in this case, originally absconding charge sheet was filed, as a matter of fact, the petitioner was not absconding, he even suffered an accident and the said F.I.R is also produced along with the typeset of papers. He was even provided with the disability certificate by the concerned Department. Therefore, when the petitioner was very much present and the recovery was made only from his family members / A1 and A2, the petitioner was unnecessarily arrayed as an accused and he was belatedly arrested. Only after filing of the charge sheet and only when the trial was about to commence and therefore, he must be enlarged on bail.

4.The petition is opposed by the learned Public Prosecutor by stating that the recovery is made from A1 and A2 is a commercial quantity of 60kg of Ganja. The petitioner is the father of A2 and husband of A1. He has also got two previous cases. There are materials to point out his involvement and the evidence is on record that he only procured the said contraband, he was absconding and arrested only in the month of February 2024. Now, the trial is in progress and there are 20 witnesses and some of the witnesses have already been dispensed with by the prosecution.



CRL OP(MD). No.14168 of 2024

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5. Considering the overall facts and circumstances of the case and considering the nature of the case, I am not inclined to enlarge the petitioner on bail especially when the trial is in progress. However, the prosecution is directed to expedite and complete the trial on or before the 30.11.2024. The learned I Additional District and Session Judge for EC and NDPS Act Cases, Madurai, is directed to take up the matter for expeditious disposal and complete the trial on or before 30.11.2024.

6. With the above directions, the bail petition stands disposed of.

sd/-
28/08/2024

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/09/2024

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

LS
TO

1 THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE
FOR EC AND NDPS ACT CASES, MADURAI.

2 THE INSPECTOR OF POLICE,
NIB-CID,
DINDIGUL DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

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

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CRL OP(MD). No.14168 of 2024

ORDER

IN

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Date :28/08/2024

RS/VR/SAR-(12.09.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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