



CRL OP(MD). No.16136 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 03/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16136 of 2024

Ananth,

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Thirumangalam Town Police Station,
Madurai.

Cr.No.556/2023..

... Respondent/Complainant

For Petitioner : Mr.S.Anandha Rajagopal,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in C.C.No.164 of 2024 on the file of the Principal Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Madurai and pass appropriate order

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 02.12.2023 for the offences punishable under Sections 8(c), 20(b)(ii)(C), 25, 29(1) of



NDPS Act, 1985 in crime No. 556 of 2023 on the file of the respondent police, seeks bail.

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2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

3. The learned counsel for the petitioner submits that the petitioner has got nothing to do with the present case. The petitioner is said to have come only in a Two Wheeler and the recovery is made only from the other accused. The petitioner is in languishing in prison for almost 300 days. The trial has not even commenced and therefore, he would pray for bail.

4. Considering the nature of allegations in this case that the petitioner is said to have come as a pilot in the two Wheeler, before the four Wheeler in which the contraband was being transported and the same being commercial quantity of 22 kilograms of Ganja and that along with the charge sheet materials against this petitioner also, as per the version of the prosecution, the recovery is made from all the accused who were traveling together and that the CDR particulars and other proof so as to demonstrate the contact between all the accused and the usage of two SIM cards etc., are all available, I do not see that the petitioner has made out any case so as to overcome the rigour of Section 37 of the NDPS Act. As far as the



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argument relating to long period of incarceration is concerned considering the overall quantity in this case and considering the argument made on behalf of the prosecution that there are only 7 witnesses to be examined in this case and that the case is posted on 21/10/2024 and that the trial can be completed within a period of two months, for the present, I cannot hold that the period is so long so as to invoke Article 21 of the Constitution of India and release the petitioner on bail. However, since the petitioner's prayer for bail is being rejected, the prosecution shall take immediate steps to produce the witnesses and complete the trial as expeditiously as possible. The copy of this order shall also be produced before the learned Special Court for NDPS, Madurai and shall also endeavour to complete the trial as expeditiously as possible, in any event not later than the period of two months from the date of receipt of the copy of this order.

5. With the above observation, this Criminal Original petition stands disposed of.

sd/-
03/10/2024

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/10/2024

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

TRP



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TO
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- 1 THE JUDGE,
SPECIAL COURT FOR NDPS, MADURAI.
- 2 THE INSPECTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
MADURAI.
- 3 THE OFFICER INCHARGE,
SUB JAIL, THENI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.16136 of 2024

Date :03/10/2024

SS/MMS/SAR- /22/10/2024/ 4P/5C

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