



CRL OP(MD)No.21696 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD)No.21696 of 2024

Jainkumar

... Petitioner

Vs

State of Tamil Nadu represented by
the Inspector of Police,
Cumbum North Police Station,
Theni District.
(Crime No.270 of 2019)

... Respondent

Prayer: Petition filed under Section 483 of BNSS seeking bail in connection with crime No.270 of 2019 in CC.No.104 of 2020 on the file of the I Additional Special Court for Trial NDPS Act Cases, Madurai.

For Petitioner : Mr.S.Muthucharran

For Respondent : Mr.P.Kottaichamy Government Advocate

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.03.2024 in connection with Crime No.270 of 2019 registered for the offence under Sections 8(c), 20(b)(ii)(B) and 29(1) of NDPS Act in CC.No.104 of 2020 seeks bail.



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2.The case of the prosecution is that the petitioner and other accused were in possession of 6 KGs of ganja.

3.The earlier bail applications were dismissed on the objections raised by the learned Government Advocate (Crl Side) that the petitioner had absconded and he has been secured on non bailable warrant only after a period of three months that the trial was almost completed and also by considering his antecedents.

4.Now this petitioner has filed this third bail application on the ground that the trial has not been completed so far despite the directions of this court to conclude the trial within a period of two months.

5.The learned Government Advocate (Crl Side) appearing for the State submits that the trial has already been completed and the case is posted for arguments. At this stage the petitioner in order to drag the proceedings has filed a petition to recall the witness. Therefore he objects for grant of bail.

6.This Court considered the rival submissions and also perused the materials placed on record.

7.This is the third bail application of the petitioner and it is filed on the ground that despite the orders of this Court the trial has not been concluded.

8.The earlier bail applications filed by the petitioner were dismissed on the objections raised by the learned Government Advocate (Crl Side) that the petitioner



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was absconding and he was secured in pursuance of the non bailable warrant issued and also considering the antecedents of the petitioner that he is involved in three other cases and two case of similar in nature. This Court while dismissing the earlier bail application by order dated 13.09.2024 considering the stage of the trial and the rejection of the bail to the petitioner, had directed the trial Court to dispose of the case within a period of three months. The learned Government Advocate submits that the trial had already been completed and the case was posted for arguments and only the petitioner had filed the petition to recall the witness. Therefore, there is no fault on the part of the trial Court. Hence this Court is not inclined to accept the grounds raised in this petition.

Accordingly this criminal original petition is dismissed.

sd/-
13/12/2024

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/02/2025

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

DSK

TO

1 THE INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.



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2 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

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

ORDER
IN

CRL OP(MD) No.21696 of 2024
Date :13/12/2024

SS/VR/SAR- /26/02/2025/ 4P/4C

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