



CRL OP(MD). No.20396 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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S.Ponnangan

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
The Inspector of Police,
NIBCID, Dindigul District.
Crime No. 127/2017..

... Respondent/Complainant

For Petitioner : Mr.Na.Manimaran

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To grant bail for the Petitioner/Accused in Crime No.127/2017 in CC No.70/2018 in I Addl Special Court for Trial of NDPS Act Cases, Madurai on the file of the respondent police.

ORDER : The Court made the following order :-

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



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custody on 23.07.2024, for the offence punishable under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29 of NDPS Act, in Crime No. 127 of 2017, on the file of the respondent police, seeks bail.

2. When the matter was taken up for hearing on 22.11.2024, this Court passed the following order:

"The petitioner is facing trial along with A1 and non bailable warrant was issued against him on 12.07.2024 and he was secured on 23.07.2024 and produced before the Court below and thereafter, the petitioner was remanded to judicial custody.

2. The learned Additional Public Prosecutor submitted that there are five previous cases pending against the petitioner, out of which, in one case involving NDPS offence, he was convicted. The other two cases were closed. In the remaining two cases, the cases are now at the stage of trial in C.C.Nos.44 and 50 of 2017.

3.The learned Additional Public Prosecutor shall take instructions with respect to the stage of the cases in C.C.Nos.44 and 50 of 2017 and also ascertain as to whether the petitioner is attending those cases regularly. That apart, the learned Additional Public Prosecutor shall also take instructions with respect to the execution of the non bailable warrant against A2 in this case.

4.Post the matter on 03.12.2024."



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3. When the matter was taken up for hearing today, the learned Additional Public Prosecutor produced the Judgment in C.C.No.260 of 2019, dated 26.06.2023 passed by the learned District and Sessions Judge, Madurai.

4. On carefully going through the Judgment, it is seen that the petitioner was involved in the above case on 30.01.2019. In the instant case, the petitioner was enlarged on bail and after coming out of bail, on 15.03.2018, the petitioner committed offence under NDPS Act on 30.01.2019. The same is now substantiated by the fact that the petitioner was convicted in the case. Hence, it is very clear that the petitioner has misused the liberty that was granted in this case, when he was enlarged on bail.

5. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the case in C.C.No.70 of 2018 is now at the stage of final argument.

6. Taking into consideration the facts and circumstances of the case and conduct of the petitioner, this Court is not inclined to grant bail to the petitioner.



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Hence, this petition stands dismissed and there shall be a direction to the learned Sessions Judge, I Additional Special Court for Trial of NDPS Act Cases, Madurai to dispose of the case in C.C.No.70 of 2018 within a period of two months from the date of receipt of copy of this order.

sd/-
03/12/2024

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/12/2024

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

PNM

TO

- 1 THE I ADDITIONAL SPECIAL COURT FOR
TRIAL OF 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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ORDER
IN
CRL OP(MD) No.20396 of 2024
Date :03/12/2024

SS/SKN/SAR- /17/12/2024/ 5P/5C

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