



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI
CRL OP(MD)No.22004 of 2024

T.Ammavasi

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Represented by the Inspector of Police,
Silaiman Police Station,
Madurai District.
[Crime No.404 of 2023]

... Respondent /Complainant

For Petitioner : M/s.Manimaran.NA

For Respondent : Mr.P.Kottaisamy,
Government Advocate (Crl Side)

Prayer: Petition filed under Section 483 of BNSS to grant bail to the petitioner /
accused No.2 in Crime No.404 of 2023 in CC.No.117 of 2024 on the file of the II
Additional District Judge for EC and NDPS Act cases, Madurai, on the file of the
respondent Police.



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ORDER

The petitioner / A2 was arrested and remanded into judicial custody on 04.10.2023 in connection with a case in CC.No.117 of 2024 on the file of the II Additional District Judge for EC and NDPS Act Cases, Madurai in Crime No.404 of 2023 on the file of the respondent police for the offence under Sections 8(c) r/w 20(b) (ii)(C), 25 and 29(i) of the NDPS Act seeks bail.

2.The case of the prosecution is that the respondent police recovered 8Kgs of ganja from this petitioner and 14 Kgs of ganja from A1, which were taken in a two wheeler bearing Registration No.TN 60 X 3657. The total ganja of 22 Kgs were recovered. It is a commercial quantity. Hence the complaint

3.The learned Counsel for the petitioner by referring to the cross examination of a witness submits that the prosecution has not made out any case. Further this Court while dismissing the earlier bail application has directed the trial Court to conclude the trial as expeditiously as possible. However the trial is not concluded as directed. Therefore, the petitioner seeks indulgence of this Court to grant bail to the petitioner considering his incarceration from 04.10.2023.

4.The learned Government Advocate (Crl Side) appearing for the respondent submits that the earlier bail application of the petitioner was dismissed by this Court in view of Section 37 of the NDPS Act and also considering the previous conduct of



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the accused. Now the trial has commenced, PW1 and PW2 were examined. Therefore

the learned Government Advocate objects for grant of bail.

5.This Court considered the rival submissions made.

6.This is the second bail application filed by the petitioner. It is a case of commercial quantity of ganja. This Court considering the bar under Section 37 of the NDPS Act and also considering the antecedents of the accused has dismissed the earlier bail application. This Court is not inclined to grant any relief to the petitioner based on the cross examination of the witnesses. It is reported that the trial has commenced and two witnesses have been examined. However considering the plea raised by the for the petitioner that he is languishing in jail for more than one year, the trial court is directed to conclude the trial as expeditiously as possible, probably within a period of four months from the date of receipt of a copy of this order. The respondent police shall produce the witnesses and to co-operate the trial Court to conclude the proceedings as directed by this court.

7.In the result, this criminal original petition is dismissed.

sd/-
13/12/2024

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/03/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



DSK
TO
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- 1 THE II ADDITIONAL DISTRICT JUDGE, FOR EC AND NDPS ACT CASES,
MADURAI.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 3 THE INSPECTOR OF POLICE,
SILAIMAN POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.22004 of 2024
Date :13/12/2024

NBF / VR /SAR- (12/03/2025) 4P/5C

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