



CRL OP(MD). No.22949 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/02/2024

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.22949 of 2023

R.Bhuvaneswaran

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
NIB - CID,
Trichy District.
Crime No.03 of 2022.

... Respondent/Complainant

For Petitioner : M/s.NA.Manimaran, Advocate.
For Respondent : Mr.M.Muthu Manickam,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

To release the Petitioner / Accused No.2 on bail in Crime No.03/2022 in C.C.221 of 2022 in IInd Additional Special District Court for NDPS Act, Pudukottai on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A2 was arrested on 24/03/2022 and remanded to judicial custody for the alleged offences punishable under sections 8(c)

r/w 20(b)(ii)(c) and 25 of NDPS Act, in Crime No.3 of 2022, seek bail.

<https://www.mhc.tri.gov.in/judis>



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2.The case of the prosecution is that on 23/03/2022 at about 1.45 pm, the respondent on a secret information that Ganja is transported illegally along with his team, he went to the place of occurrence, at about 2.30 pm and were watching. At that time, they intercepted a car bearing registration No.TN-74-AM-5159. The occupants were one Aasai and Buvaneshesari. On search, 22 kgs of Ganja was found. Based upon the above said incident, further process was undertaken and the case was registered.

3.Earlier bail applications filed by the petitioner was dismissed by this Court considering the gravity of the offence.

4.Since the final report has been filed in this case, this Court called for a report from the concerned Court as to the stage of the trial process. Now report has been received from the trial Court stating that the trial is going to be commenced on 02.02.2024 and it will be completed on or before 04.03.2024. The grievance of the petitioner is that since the petitioner is in custody, the trial Judge is insisting upon his physical presence before the Court. It is for the prosecution to produce the petitioner.

5.In view of the report submitted by the trial Court, I find no reason to enlarge the petitioner on bail. In Crl.O.P.(MD).No.17421 of 2023, this Court issued a direction to the trial Court to complete the trial within a period of five months. Let the earlier order be complied by the trial Court.



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6. With the above said directions, this criminal original petition stands
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dismissed.

sd/-
08/02/2024

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/03/2024

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

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TO

1 THE PRINCIPAL SPECIAL JUDGE FOR EC & NDPS ACT CASES, PUDUKOTTAI.

2 THE II ADDITIONAL SPECIAL DISTRICT COURT FOR NDPS ACT,
PUDUKOTTAI.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE, NIB CID, TRICHY DISTRICT.

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

ORDER IN
CRL OP(MD) No.22949 of 2023
Date :08/02/2024

RS/JGB/SAR-(15.03.2024) 3P 6C
Madurai Bench of Madras High Court is issuing
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