



CRL OP(MD) No.23470 of 2023

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

Tuesday, the Second day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.23470 of 2023

VIJAYARAJA

... PETITIONER/ACCUSED NO.3

Vs

THE INSPECTOR OF POLICE  
BATLAGUNDU POLICE STION,  
DINDIGUL DISTRICT.  
(CRIME NO.142 OF 2023)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.KALAISELVAN, Advocate

For Respondent : MR.B.NAMBISELVAN, Additional Public Prosecutor

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

PRAYER :

TO ENLARGE THE PETITIONER ON BAIL IN C.C.NO.1058/2023 ON THE FILE OF THE PRINCIPAL SPECIAL JUDGE FOR NDPS ACT CASES, MADURAI.

ORDER : The Court Made the following order :-

The petitioner / Accused No.3, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 8(c) r/w 20 (b) (ii) (C), 25 and 29(1) of NDPS Act in Crime No.142 of 2023, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of



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22Kgs of Ganja and the respondent Police seized the contraband. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that no previous case is pending against the petitioner and the petitioner is arrayed as Accused No.3 in this case. He would further submit that the quantity involved in this case is commercial in nature. He would further submit that the petitioner is available at the scene of occurrence and the respondent Police recovered the contraband from the petitioner. He would further submit that as per Section 37 of the NDPS Act, 1985, he is not entitled for bail. Hence, he strongly objected for grant of anticipatory bail to the petitioner herein.

5. Considering the facts and circumstances of the case and also considering the fact that the contraband is recovered only from the petitioner and also considering the fact that the quantity is also commercial in nature, I am not inclined to grant bail to the petitioner herein.

6. At this juncture, the learned counsel appearing for the petitioner would submit that the trial is in progress. Hence, this Court may issue a direction to the



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learned Judicial Magistrate to complete the trial.

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7. In view of the above, the Criminal Original Petition stands dismissed.

However, the learned Principal Special Judge for NDPS Act Cases, Madurai, is directed to complete the trial as expeditiously as possible.

sd/-

02/01/2024

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/01/2024

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

TSG

TO

1 THE PRINCIPAL SPECIAL JUDGE FOR NDPS ACT CASES, MADURAI.

2 THE OFFICER INCHARGE, DISTRICT PRISON, DINDIGUL.

3 THE INSPECTOR OF POLICE, BATLAGUNDU POLICE STION,  
DINDIGUL DISTRICT.

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

ORDER IN  
CRL OP(MD) No.23470 of 2023  
Date :02/01/2024

RS/JGB/SAR-(11.01.2024) 3P 5C  
Madurai Bench of Madras High Court is issuing  
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