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CRL OP No. 6166 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 6166 of 2025

D.Karthick Balu

Petitioner(s)

Vs

The State Rep By, The Inspector Of Police
The Inspector Of Police, Palladam Police
Station, Tiruppur District, Cr.No.487/2022

Respondent(s)

PRAYER:

This Criminal Original Petition is filed to enlarge the petitioner/accused no.3 on bail in C.C.No.83 of 2023 on the file of the Honourable Additional District Judge, Special Court for Essential Commodities act cases, Coimbatore.

For Petitioner(s): M/s.K.Madhu

For Respondent(s): M/s.R. Vinothraja GA (crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody for the offences punishable under Sections 8(c) read with Section 20(b)(ii)(c) of NDPS



Act in connection with Crime No.487 of 2022, registered on the file of the respondent, seeks bail.

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2. The case of the prosecution is that the petitioner while in custody in another case, formal arrest was made and he was formally remanded to judicial custody on 05.01.2024, for illegal possession of 45 kgs of Ganja. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. The learned counsel further submitted that the co-accused were already released on bail and the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions, submitted that the petitioner is alleged to have been involved in other similar cases.



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Specifically, he referred to Crime No.141 of 2009 on the NIBCID, Dindigul, which was tried in C.C.No.312 of 2009 before the learned 1st Additional District Judge, Special Court for cases under the NDPS Act at Madurai and resulted in conviction and additionally, in Crime No.224 of 2022, the petitioner was arrayed as 6th accused, which resulted in acquittal. The learned Government Advocate (crl. Side) further submitted that in the present case, out of four witnesses, two have already been examined and only two more witnesses remain to be examined. Based on these circumstances, he strongly opposed the grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record

6. Considering the facts and circumstances and the submissions made by both sides, the huge quantity of contraband involved in this case, this Court is not inclined to grant the relief sought for by the petitioner.



7. Accordingly, this Criminal Original Petition stands dismissed and the

trial Court is hereby directed to expedite the trial and complete the same,

preferably within a period of four months from the date on which the order

copy made ready.

01-07-2025

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To

1. The Inspector Of Police
The Inspector Of Police, Palladam
Police Station, Tiruppur District.

2. The Additional District Judge,
Special Court for Essential
Commodities Act Cases,
Coimbatore.

3. The Central Prison, Madurai.

4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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