



CRL OP(MD)No.2473 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.02.2025

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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K.Sreekanth

... Petitioner/ A3

Versus

The Union of India,
Rep. by the Junior Intelligence Officer,
Narcotics Control Bureau (NCB)
Chennai.

... Respondent

For Petitioner: Mr.S.S.Sundarapandian
Advocate

For Respondent : Mr.C.Arulvadivel @ Sekar,
Special Public Prosecutor for NCB

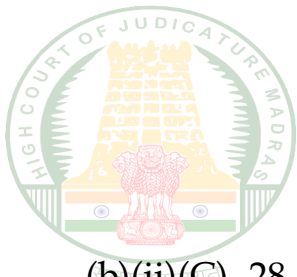
PETITION FOR BAIL Under Section 483 of BNSS

PRAYER :- To enlarge the petitioner on bail in C.C.No.136 of 2024 on the file of the Principal Special Court for Trial of NDPS Act cases, Madurai.

ORDER : The Court made the following order :-

The petitioner was arrested on 29.10.2023 in connection with the case in Crime

No.87 of 2023 on the file of the respondent for the offence under Sections 8(c) r/w. 20



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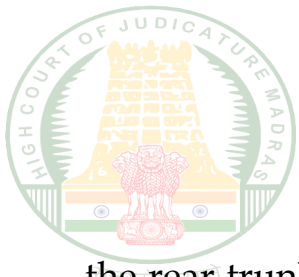
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(b)(ii)(C), 28 and 29 of NDPS Act. After completing the investigation, the final report was filed and the same was taken on file in C.C.No.136 of 2024 on the file of the Principal Special Court for Trial of NDPS Act cases, Madurai. Since the petitioner is in jail from 29.10.2023, he filed this petition seeking bail.

2. This is the second bail petition. The earlier bail petition filed by the petitioner was dismissed by this Court on 15.04.2024 considering the quantity of the contraband involved in this case.

3. The learned counsel appearing for the petitioner submits that the investigating agency has not collected any materials as against the petitioner. In fact, the petitioner was doing travel business and he was on tour on the date of occurrence, however, he was wrongly arrested by the respondent as if he escorted the vehicle of accused Nos.1 and 2. He further submits that the respondent has not recovered any contraband from the petitioner also not recovered any mobile phone from the petitioner. Further, there is no nexus between the petitioner and accused Nos.1 and 2. Since the petitioner is in jail for the past two years, he seeks bail.

4. The learned Special Public Prosecutor for NDPS Cases submits that on information received by the Investigating Agency on 29.10.2023, they conducted a surveillance and searched a vehicle bearing Reg.No.KA51 MR 4118, in which, accused Nos.1 and 2 were found. During the search, they found 120 kgs. of ganja in



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the rear trunk of the Car and recovered the same. The accused Nos.1 and 2, in their confession statement recorded under Section 67 of NDPS Act, admitted that they have procured the ganja from Andhra Pradesh and they are taking the same to Trivandrum. Initially, the accused tried to go through the Madurai-Kanyakumari Highways. But, the petitioner, who was escorting the vehicle, gave a tip of the availability of the Police and therefore, they returned back and stayed near KDFC cafe. The petitioner, who was escorting the contraband vehicle, went upto Srivilliputhur and determined that there is no police risk in that road and thereafter, he returned to KDFC cafe. The investigating agency arrested the petitioner/ A3 along with A1, A2 and A4 near KDFC cafe on 29.10.2023 and also recovered their mobile phones in their possession.

5. The learned Special Public Prosecutor submits that apart from the confession statement of the accused Nos.1 and 2, the investigating agency has also collected the call details from the mobile phones recovered from the accused. As per the call details, A1 had contacted A2 for 119 times between 27th October and 29th October; A2 had also contacted A4 for 38 times on 27th October and 29th October and A4 had also contacted the petitioner/ A3 for 19 times.

6. The learned Special Public Prosecutor further submits that the petitioner is the owner of the Car bearing Reg.No.KL 60A 6716, which has been seized from the



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place of occurrence. The petitioner is not doing any travel business as projected by him. The tower locations recovered by the investigating agency also revealed that the petitioner/A3 along with A4 went upto Srivilliputhur to find out as to whether the route is clear or not. Therefore, according to him, the investigating agency has collected sufficient materials that the petitioner has nexus with other accused. Further, the final report filed before the Special Court was taken on file in C.C.No.136 of 2024.

7. The learned Special Public Prosecutor further submits that the accused Nos.5 and 6, who are the recipients of the contraband at Trivandrum, have not been secured so far. Therefore, the case as against accused Nos.5 and 6 was split up as C.C.No.36 of 2025 and the same is pending before the Principal Special Court for Trial of NDPS Act cases, Madurai.

8. This Court considered the rival submissions made.

9. This is the second bail petition. No doubt, there is no recovery from the petitioner. Apart from the confession statement, the investigation agency has collected call details of the petitioner along with the other accused. The petitioner/A3 was arrested along with A4 in the place of occurrence, where, A1 and A2 were also arrested. In this case, the final report was filed and the same was taken on file in C.C.No.136 of 2024. Further, the petitioner is a resident of Kerala. In the event, if the



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petitioner is released on bail, he may not be available for trial.

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10. Considering the quantity of contraband involved in this case and in view of the provisions under Section 37 of NDPS Act, this Court is not inclined to grant bail to the petitioner.

11. Accordingly, this Criminal Original Petition is dismissed with a direction to the trial Court to conclude the trial in C.C.No.136 of 2024 as expeditiously as possible. The investigation agency shall co-operate to complete the trial by producing witnesses without any delay.

sd/-

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/03/2025

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

OGY

TO

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

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3 THE JUNIOR INTELLIGENCE OFFICER,
NARCOTICS CONTROL BUREAU (NCB),
CHENNAI.

4 THE SPECIAL PUBLIC PROSECUTOR FOR NCB,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

<https://www.mmc.tn.gov.in/judis>



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ORDER
IN
CRL OP(MD) No.2473 of 2025
Date :25/02/2025

SA/GSV/SAR. /21.03.2025/6P/5C

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