



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

Monday, the Sixth day of July Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11282 of 2015

KASIPANDI

... PETITIONER/ACCUSED NO.2

Vs

STATE REP BY THE INSPECTOR OF POLICE,
NIB CID, DINDIGUL, DINDIGUL DIST.

(CRIME NO. 76 OF 2015) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.THALAIMUTHARASU Advocate

For Respondent : Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A2 in Crime No.76 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 02.06.2015 for the alleged offences punishable under Section 8(c) r/w 20(b)(ii)(C) and Sections 25 of the NDPS Act, and hence, seeks bail.

2.The case of the prosecution is that on 02.06.2015 when the police party was conducting vehicle check on the basis of secret information, the accused came in a 'Ford Icon' car bearing Registration No.TN58E 6462 and the police party found three gunny bags, each bag containing 56 kgs of ganja.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that on the date of arrest, the accused were produced before the Judicial Magistrate, Nilakottai along with contraband and thereafter, it was returned to the respondent and the same was produced before the Special Court only on 19.06.2015. He further submitted that in a similar circumstances, this Court granted bail to the co-accused in Crl.O.P.(MD).No.6532 of 2015 dated 29.04.2014.

4.Per contra, the learned Government Advocate (Crl.side) vehemently opposed the bail application stating that it is a case of commercial quantity and the respondent has followed the procedure contained in NDPS Act and as per Section 35 of NDPS Act, the accused



is not entitled for bail. It is further submitted that the petitioner is involved in three previous cases of similar in nature in crime No.57 of 2015.

5. Considering the facts and circumstances of the case, and also considering the fact that the petitioner involved in three previous cases, this Court is of the view that the petitioner is not entitled to grant bail to the accused/A2. Hence, this petition is dismissed.

sd/-
06/07/2015

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE,
NIB CID, DINDIGUL, DINDIGUL DIST.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI
- 3 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.11282 of 2015
Date :06/07/2015

AA/09.07.2015/ 2p- 4c/