



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Twenty Fifth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.19660 of 2015

PANDIYARAJAN

..PETITIONER/ACCUSED No.6

Vs.

STATE REP.BY THE INSEPECTOR OF POLICE
THANUSKODI POLICE STATION,
RAMANATHAPURM DISTRICT.
CR. NO.68 OF 2014

..RESPONDENT/COMPLAINANT

For Petitioner : M/S J.LAWRANCE Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner/Accused No.6, who was arrested and remanded to judicial custody on 28.08.2015 for the alleged offences punishable under Sections 8(c) r/w 20(b) (II) (C) and 25 of N.D.P.S. Act, 1985, in Crime No.68 of 2014 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 28.11.2014 at 23.00 hours on information the Inspector of Police, Q-Branch CID, Ramanathapuram along with his police party monitoring a patrol duty in Dhanuskodi Seashore areas, four person were standing in suspicious manner. On seeing the police party, they tried to escape from the scene of occurrence. The police party rounded and captured them and enquired. During the enquiry, they informed their name and address, then the Inspector of Police, Q Branch CID, Ramanathapuram searched the nine travel bags were containing 192 kgs Ganja. During the interrogation, it reveals that one Jeya, W/o.Thangamani Thevar, and her son Pandiarajan delivered the Ganja to one Packiaraj. The the said Packiyaraj had planned to smuggle with the help of A2, A3 and A4 to Srilanka. The Inspector of Police, Q-Branch CID, Ramanathapuram seized the properties under mahazar and handed over the same along with four accused to the Dhanuskodi Police Statation with a special report and on the Special Report, the case has been registered for the above said offences.

3.The case of the petitioner is that he is innocent and he has not involved in the alleged offence. Only based on the confession given by the other accused, this petitioner was arrested on 28.08.2015.

4.The learned Government Advocate (Crl.side) submitted that the petitioner and other accused were smuggled Ganja to Srilanka and other accused were arrested and remanded to judicial custody and this petitioner was absconding. Only this petitioner and his mother sold Ganja to other accused and this petitioner was arrested only on 28.08.2015 and the investigation of the petitioner has to be investigated.



5.The learned counsel for the petitioner submitted that the other accused Nos.1 and 2 were arrested and released on bail by the Sessions Court in Cr.M.P.No.658 of 2015 and A3 and A4 were arrested and released on bail by this Court in Crl.O.P.(MD)No.9694 of 2015 and A7 was arrested and released on bail by this Court in Crl.O.P(MD)No.6399 of 2015 and A5 was granted anticipatory bail.

6.Considering the gravity of offence and quantity of Ganja and the investigation is not yet over, I am not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

Sd/-
25/11/2015

/True Copy/

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

TO

1 THE INSEPECTOR OF POLICE, THANUSKODI POLICE STATION,
RAMANATHAPURM DISTRICT.

2 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

3 THE OFFICER IN CHARGE, DISTRICT JAIL, RAMANATHAPURAM.

+1. CC to M/S J.LAWRANCE Advocate SR.No.67435

ORDER IN
CRL OP(MD) No.19660 of 2015
Date :25/11/2015

PBK/GSV-PM/SAR-I 27/11/2015 ::2P-5C::