



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

Friday, the Eleventh day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22951 of 2015

P. SAMIDURAI

... PETITIONER/ ACCUSED NO.3

Vs

STATE REPRESENTED THROUGH
THE INSPECTOR OF POLICE
UCHIPULI POLICE STATION,
(IN CRIME NO. 188 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.R.PANDI MAHARAJA Advocate

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

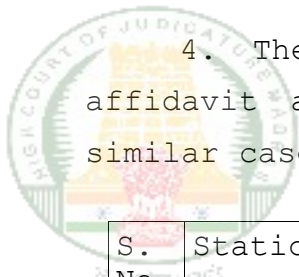
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused as A3, in Crime No.188 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 08.10.2015 for the alleged offences punishable under Sections 8 © r/w. 20(b)(ii)(C) of NDPS Act, 1985 and hence, seeks bail.

2. The case of the prosecution is that when the respondent Police conducted surprise visit, the petitioner and other accused persons, on seeing the Police, tried to run away from the place of occurrence. The respondent Police restrained the accused and seized the contraband of 90 Kg Kanja, from the house of the A2. Based on the confession of A1, contraband seized from A2.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the contraband has not recovered from the petitioner and his name has been implicated only based on the confession of A1.



4. The learned Government Advocate (Crl. Side) filed a counter affidavit and stated that the petitioner has involved in five other similar cases, which runs as follows:-

S. No.	Station and Cr.No.	Section of Law	Stage of the case
1	Kenilkarai P.S. Cr.No.311/2006	457,380 of IPC (Burglary in a Brandy Shop)	Pending Trial
2	Paramakudi Taluk P.S Cr.No.196/2006	457,380 of IPC (Burglary in a Brandy Shop)	Pending Trial
3	Chathirakudi P.S Crime NO.66/2006	457,380 of IPC (House Burglary)	Pending Trial
4	Emaneswaram PS Cr.No.127/2006	457,380 of IPC (Theft of Two wheelers)	Pending Trial
5	Emaneswaram PS Cr.No.120 of 2006	457,380 of IPC (House Burglary)	Pending Trial

He further submitted that this Court by order dated 18.11.2015, dismissed the bail petition by the petitioner and others in Crl.O.P(MD). No.21674 of 2015.

5. Considering the facts and circumstances of the case and also considering the fact that there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

sd/-
11/12/2015

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

TO

- 1 THE INSPECTOR OF POLICE, UCHIPULI POLICE STATION.
- 2 THE OFFICER INCHARGE, SUB-JAIL, RAMANATHAPURAM.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.22951 of 2015
Date :11/12/2015

trp

<https://hccs.court.gov.in/crj/crj/15.12.2015> : 2P/4C