



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

Tuesday, the Second day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12073 of 2016

1 GOWRI

2 NIRMALA

... PETITIONERS / ACCUSED No. 3 and 6
Vs

STATE REP.BY THE
THE INSPECTOR OF POLICE
NIB-CID, TRICHY DISTRICT.
(CRIME NO.39 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.ALAGUMANI Advocate

For Respondent : Mr.P.Kannithevan Govt. Advocate (Crl. Side)

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

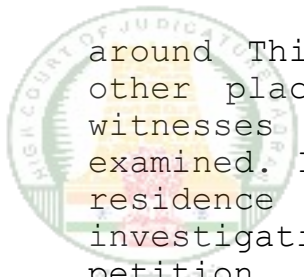
ORDER : The Court Made the following order :-

The petitioners are arrayed as accused Nos.3 & 6, who were arrested and remanded to judicial custody on 22.06.2016 for the alleged offence punishable under Sections 8(c) r/w. 20(B) (ii) (C) and 29(1) of NDPS Act, 1985 in Crime No.39 of 2016, on the file of the respondent police and hence, seek bail.

2. The case of the prosecution is that on 21.06.2016, at about 2.00 p.m., on seeing the police party, the petitioner along with the other accused tried to escape from the scene of occurrence, but, the police party surrounded and apprehended them and they arrested all the accused and seized 21 kgs. of ganja from the first petitioner and 10 kgs. of ganja from the second petitioner and 21 kgs. each from A1, A2, A4 and A5 and 10 kgs. from A7. After following the procedure, case has been registered against the petitioners for the aforesaid offences.

3. The case of the petitioners is that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and they are in judicial custody from 22.06.2016 and there is no previous case against the petitioners.

4. The learned Government Advocate (Crl.side) filed a counter affidavit and submitted that the contraband seized from the first petitioner is 21 kgs. and from the second petitioner is 10 kgs., which are commercial quantity. The petitioners are not entitled for bail as per Section 37 of Narcotic Drugs and Psychotropic Substances Act, 1985. The accused are clandestine transporter of ganja in and



around Thiruverambur. They are harbouring huge quantity in some other places and sold them to the bidders on huge amount. The witnesses cited by the prosecution in this case are yet to be examined. If the petitioners are granted bail, they may change their residence and abscond, tamper the evidence and hamper the investigation and prayed for dismissal of the criminal original petition.

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5. Considering the gravity of the offence and serious nature of allegations made against the petitioner, this Court is not inclined to enlarge the petitioners on bail. Accordingly, this Criminal Original Petition is dismissed.

sd/-

02/08/2016

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

TO

- 1 THE OFFICER INCHARGE
SPECIAL PRISON FOR WOMEN, TRICHY
- 2 THE INSPECTOR OF POLICE
NIB-CID, TRICHY DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.ALAGUMANI Advocate SR.No.42010

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ORDER

IN

CRL OP(MD) No.12073 of 2016

Date :02/08/2016