



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

Friday, the Twenty Second day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12588 of 2016

SAHUL @ SAHUL HAMEED

... PETITIONER/ACCUSED-3

Vs

THE STATE REP. BY ITS
THE INSPECTOR OF POLICE,
DHANUSHKODI POLICE STATION,
RAMNAD DISTRICT.
CR. NO.36/2013

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S A.UTHAYAKUMAR ADVOCATE

FOR RESPONDENT : Mr.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL.SIDE)

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

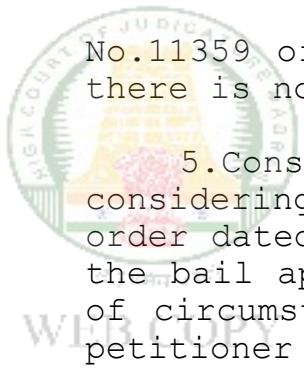
ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.3, who was arrested and remanded to judicial custody on 25.06.2016 for the alleged offences punishable under Sections 8(c) read with 20(b)(ii)(B) 25 of NDPS Act, in Crime No.36 of 2013, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 20.07.2013, the respondent police conducted a raid along with the police party at Dhanushkodi Sea Shore area. At that time, they found A.1 to A.6 in possession of 6.500 Kgs of ganja and arrested the accused persons. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Totally there are seven accused and the petitioner was arrayed as A.3 and only based on the confession given by the co-accused, he has been implicated in this case and there was no recovery from the petitioner and all the other accused were arrested and released on bail by the Court below vide orders dated 05.08.2013 and 03.09.2013 made in Crl.M.P.Nos.544 and 562 of 2013 respectively. The petitioner is in judicial custody from 25.06.2016.

4.The learned Government Advocate (Crl. side) submitted that earlier the petitioner filed the bail application in Crl.O.P.(MD)



No.11359 of 2016 and the same was dismissed on 12.07.2016 and now, there is no change of circumstances.

5.Considering the facts and circumstances of the case and also considering the serious nature of the offence and this Court by the order dated 12.07.2016 made in Crl.O.P(MD)No.11359 of 2016 dismissed the bail application filed by the petitioner and there is no change of circumstances, this Court is not inclined to grant bail to the petitioner and accordingly this petition is dismissed.

sd/-
22/07/2016

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE,
DHANUSHKODI POLICE STATION,
RAMNAD DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
3. THE OFFICERS INCHARGE,
DISTRICT PRISON,
RAMNAD DISTRICT.

SMN2/AM
TE/ARK-PV/SAR-I : 11/08/2016 : 2P/4C

ORDER
IN
CRL OP(MD) No.12588 of 2016
Date :22/07/2016