



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

Wednesday, the Thirteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.7867 of 2016

KAVIYARASAN

... PETITIONER/ 2ND ACCUSED

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
NIBCID SIVAGANGAI POLICE STATION,
SIVAGANGAI DISTRICT.
CR. NO.58/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S V.MAHARAJAN Advocate

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

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

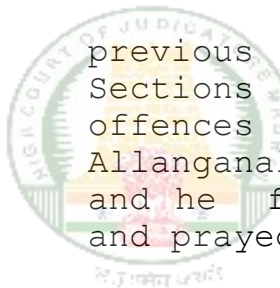
ORDER : The Court Made the following order :-

The petitioner who is arrayed as second accused was arrested and remanded to judicial custody on 03.12.2015 for the alleged offences punishable under Sections 8(c) r/w. 20(b) (ii) (C) and 29 (i) of NDPS Act 1995, in Crime No.58 of 2015, on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that during the vehicle check up near Bhairavar temp, Thirumayam, the respondent police intercepted one Innova Car bearing Regn.No.TN 45 AK 6979 in which they seized Kanja in two white colour gunny bags contains 25 Kgs, driven by the petitioner and on the complaint, a case has been registered against the petitioner.

3. The case of the petitioner is that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 03.12.2015

4.The learned Government Advocate(Crl.side) submitted that earlier three petitions filed by the petitioner was dismissed by this Court. He further submitted that the petitioner is having two



previous cases in Crime No.281 of 2015 for the offences under Sections 394 @ 397 of IPC and in Crime No.607 of 2015 for the offences under Sections 365, 324 and 506(ii) of IPC on the file of Allanganallur Police Station and Natham Police Station respectively and he further contended that there is no change of circumstances and prayed for dismissal of this petition.

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 enlarge the petitioner on bail.

6. Accordingly, the Criminal Original Petitions are dismissed.

sd/-
13/07/2016

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE, NIBCID SIVAGANGAI POLICE STATION,
SIVAGANGAI DISTRICT.
- 2 THE OFFICER INCHARGE, SUB JAIL, PUDUKKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S V.MAHARAJAN Advocate SR.No.36565

trp

JM/SK-SKN/SAR-II/22.07.2016/2P-5C

ORDER
IN
CRL OP(MD) No.7867 of 2016
Date :13/07/2016