



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

Tuesday, the Fourteenth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.7938 of 2016

MURUGAN

... PETITIONER / 3rd ACCUSED

Vs

The State Rep.by
THE SUB INSPECTOR OF POLICE
NIBCID POLICE STATION,
DINDIGUL, DINDIGUL
DISTRICT.
(CRIME NO. 20 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.R.Gandhi for M/S P.MAHENDRAN Advocate

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

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

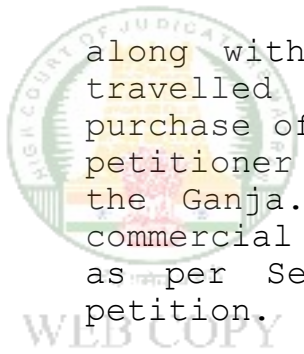
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.3, in Crime No.20 of 2016 on the file of the respondent police, was arrested and remanded to judicial custody on 09.02.2016 for the alleged offences punishable under Sections 8(c) r/w.20 (b)(ii)(c) and 25 of NDPS Act and hence, seek bail.

2. The case of the prosecution is that the respondent Police on information dated 09.02.2016 at 5.30 pm, inspected the Car bearing Regn.No.TN 60 P 900 and found 40 Kgs of Ganja in the car and on seeing the Police party A1 run away and A2 and A3 were arrested and remanded to judicial custody.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent 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 the owner of the car and he was driving in respect of their negligence between the petitioner and other accused. He further submitted that except driving the vehicle there is no specific overtact attributed against the petitioner. Further, there is no previous case against the petitioner and prayed for granting anticipatory bail in favour of the petitioners.

4. The learned Government Advocate (Crl. Side) filed counter affidavit stating that the petitioner confessed that he conspired



along with other accused and purchased the Ganja and they were travelled along with other accused persons to Andhra Pradesh to purchase of 40 Kgs of Ganja / Cannabis to Tamil Nadu. Further, the petitioner is owner of the Car and the same was used for purchasing the Ganja. He further submitted that the contraband seized is commercial quantity and that the petitioner is not entitled to bail, as per Section 37 NDPS Act and prayed for dismissal of this petition.

5. Considering the serious nature of allegations levelled against the petitioner and that the contraband seized is commercial quantity, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

sd/-

14/06/2016

/ TRUE COPY /

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

TO

1 THE OFFICERS INCHARGE, DISTRICT PRISON, DINDIGUL

2 THE SUB INSPECTOR OF POLICE
NIBCID POLICE STATION,
DINDIGUL, DINDIGUL DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S P.MAHENDRAN Advocate SR.No.30134

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ORDER

IN

CRL OP(MD) No.7938 of 2016

Date :14/06/2016