



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

Tuesday, the Third day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.11963 of 2017

E.AGASTIN THENRAJ

... PETITIONER / ACCUSED No.1

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
NIB CID, THOOTHUKUDI DT.
CRIME NO. 29/2017

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.L.PRABHU Advocate

For Respondent : Mr.K.ANBARASAN, Govt. Advocate (Cr1. Side)

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

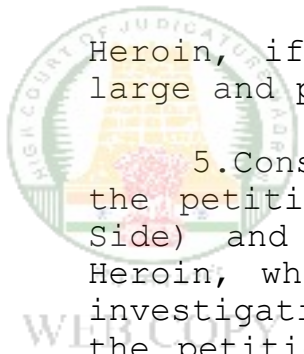
ORDER : The Court Made the following order :-

The petitioner/accused No.1, who was arrested and remanded to judicial custody on 02.06.2017 for the alleged offences punishable under Sections 8(c) read with Section 22(c) of Narcotic Drugs and Psychotropic Substances Act, in Crime No.29 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that while the respondent police was on regular vehicle check up in front of Hotel Raj, Thoothukudi, they intercepted a TATA Indigo car bearing registration No.TN-45-BD-7724 in which the petitioner/A1 along with A2 and A3/driver of the car were travelling and found 5 Kgs of Heroin underneath the backside seat of the car and seized the same. On inquiry, it was found that the car was hired by A1 at Trichy bus stand and proceeded to Thoothukudi, which is the native place of A1.

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. He is no way connected with the crime. Based on the confession statement of A2 and A3, the petitioner/A1 was implicated in this case and the petitioner/A1 denied the possession of 5 Kgs of Heroin and prays for bail.

4. Per contra, the learned Government Advocate (Criminal side) appearing for the State would submit that the petitioner/A1 was in possession of 5 Kgs of Heroin and he arrayed as A1 and since the petitioner have in possession of commercial quantity of 5 Kgs of



Heroin, if he is released on bail it will affect the society at large and prayed for dismissal of the bail petition.

5. Considering the submissions made by the learned counsel for the petitioner as well as the learned Government Advocate (Crl. Side) and since the petitioner was in possessions of 5 Kgs of Heroin, which is commercial quantity and also the matter is under investigation and at this stage, I am not inclined to grant bail to the petitioner/A1. Accordingly, this Criminal Original Petition is dismissed.

sd/-

03/10/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
NIB CID, THOOTHUKUDI DT.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to Mr.L.PRABHU Advocate SR.No.32039

JAM/06.10.17/PM-PN/SAR 1 / 2P-5C

ORDER

IN

CRL OP(MD) No.11963 of 2017

Date :03/10/2017