



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

Friday, the Eleventh day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.8722 of 2017

BALA @ BALACHANDAR

... PETITIONER / SOLE ACCUSED

Vs

State represented by
THE INSPECTOR OF POLICE
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
CR. NO.386/17

... RESPONDENT / COMPLAINANT

For Petitioner : MR.V.T.MADHAVA MANI KANNAN Advocate

For Respondent : Mr.A.RAMAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner /sole accused, who was arrested on 05.05.2017 under Sections 8(c) r/w 22(c) of NDPS Act in Crime No.386 of 2017 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 1 kg of narcotic drugs (diazapharm tablets) for selling without obtaining necessary permission from the authorities.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Additional Government Pleader appearing for the respondent would submit on instruction that the petitioner is the sole accused and he is having 5 previous cases. He also submitted that chemical analysis report is awaited and there is a bar under Section 37 of the Act for granting bail as the petitioner was in possession of the alleged contraband, which is commercial quantity and investigation is still pending.

5.Considering the facts and circumstances of the case and taking note of the gravity of offence committed by the petitioner and chemical analysis report is awaited and also the alleged contraband is commercial quantity, this Court is not inclined to



grant bail to the petitioner at this stage. Accordingly, this Criminal Original petition is dismissed.

sd/-
11/08/2017

/ TRUE COPY /

WEB COPY

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

TO

- 1 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI
- 2 THE INSPECTOR OF POLICE
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8722 of 2017
Date :11/08/2017

JAM/30.08.17/PM-PN/SAR 2/ 2P-4C