



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

Wednesday, the Fourth day of April Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.3803 of 2018

ARUNKUMAR

... PETITIONER / ACCUSED No.2

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
N.I.B. CID UNIT, THENI.
(CR.NO.81/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.MAHENDRAPATHY Advocate

For Respondent : Mr.PRABU RAMACHANDRAN, Govt. Advocate (Crl. Side)

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

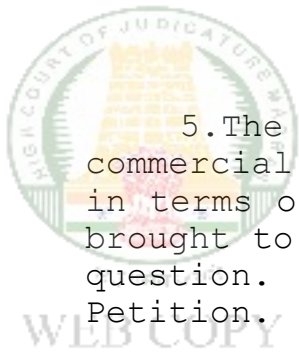
ORDER : The Court Made the following order :-

The petitioner is arrayed as the second accused. He was arrested by the respondent police and remanded to judicial custody on 12.05.2017. The case against him is for alleged offences punishable under Section 8(c) r/w. Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 [hereinafter referred to as 'the NDPS Act'], in Crime No.81 of 2017, on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that on 12.05.2017, at 6.00 a.m., based on the secret information, the respondent police conducted a raid at Theni New Bus Stand, at that time, the petitioner and A1 were found in possession of 45 Kgs of Ganja. Hence, the case has been registered for the offences as stated above.

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 learend Government Advocate (Criminal side) submitted that the contraband seized from the accused is commercial quantity and therefore, he wanted this Court to dismiss the bail petition.



5. The contraband in question is 45 KGs of Ganja. It is commercial quantity. Therefore, the petitioner will have to satisfy in terms of Section 37 of the NDPS Act. Nothing on record has been brought to show that the petitioner is not guilty of the offences in question. Therefore, this Court does not find any merit in the Petition. Hence, this Criminal Original Petition is dismissed.

sd/-
04/04/2018

/ TRUE 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,
N.I.B. CID UNIT, THENI.

Smn2
JAM/11/04/2018/ PN-KAK / RNB / 2p-3c

ORDER
IN
CRL OP(MD) No.3803 of 2018
Date :04/04/2018