



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

Friday, the Twenty Third day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.16187 of 2018

PAVI@PAVITHRAN

... PETITIONER / 7th ACCUSED

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI CITY
CRIME NO.1340 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.EROTTUCHAMY Advocate

For Respondent : MR.S.CHANDRASEKAR, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 19.01.2018 for the offences punishable under Section 8(c) r/w.20(b)(ii)(c), 27(a) and 29(1) of NDPS Act, in Crime No.1340 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 23.07.2017, when the respondent police conducted a raid along with their party in front of the third accused house at 12.00 a.m., the petitioner and other accused was found in possession of 22 kilograms of ganja, for which, the petitioner was arrested and taken into judicial custody.

3.The learned counsel for the petitioner would submit that no contraband had been seized from the petitioner and the petitioner has been falsely implicated in this case based on the confession statement of A1 and A2. He further submitted that mandatory provision has not been followed. Hence, he prays for bail.

4.The learned Additional Public Prosecutor for the respondent police files a counter and submits that when the respondent police conducted a raid, the petitioner was in possession of 22 kilograms of ganja which is the commercial quantity. On seeing the respondent police, the petitioner tried to escape from that place and he has got four previous cases, out of which, one case is similar nature under NDPS Act. He further submitted that the investigation has



been completed and to that effect, the charge sheet has been filed which is pending before the concerned Court and the same was taken on file in C.C.No.197 of 2018. Hence, he opposed to grant bail to the petitioner.

5. Considering the facts and circumstance of the case and considering the submission made by the learned Additional Public Prosecutor, this Court is not inclined to grant bail to the petitioner. Hence, this criminal original petition is dismissed.

sd/-
23/11/2018

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION,
MADURAI CITY
 2. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI
 3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to MR.KASINATHADURAI, Advocate SR.No.22032

ORDER
IN
CRL OP(MD) No.16187 of 2018
Date :23/11/2018

MK/PN/SAR 1/30.11.2018/2P/5C