



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

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.1195 of 2019

JEGAN

... PETITIONER / ACCUSED No. 1

Vs

THE SUPERINTENDENT OF CUSTOMS
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : M/s.C.RAMYA, Advocate

For Respondent : MR.ARUL VADIVEL @ SEKAR,
SPECIAL PUBLIC PROSECUTOR FOR CUSTOM CASES

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody since 23.07.2018 for the offence punishable under Sections 8 (c) r/w 20(b) (ii) (C) 23,28 and 29 of N.D.P.S.Act in O.R.No.4 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on the secret information that some contraband is being illegally smuggled from India to Srilanka through boats, the respondent and his team conducted a search on 17.12.2017 and found that accused 3 and 4 were transporting the dry Ganja weighing 42.330 Kilo grams and immediately seized the material and arrested. Based on their confession, the petitioner's name has been included and the case has been registered.

3.The learned for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Accordingly, he prayed for bail.

4.The learned Additional Public Prosecutor would submit that the contraband is commercial quantity and the learned counsel for the petitioner is not satisfying the requirement under Section 37 of NDPS Act.



5. Considering the materials seized in this case and since the learned counsel for the petitioner is not satisfying the requirement under Section 37 of NDPS Act, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal original petition stands dismissed.

sd/-
07/02/2019

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

TO

- 1 THE SUPERINTENDENT OF CUSTOMS
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
- 2 THE OFFICER IN-CHARGE,
DISTRICT PRISON, RAMANATHAPURAM

+1. CC to MR.ARUL VADIVEL @ SEKAR, Advocate SR.No.2598

ORDER
IN
CRL OP(MD) No.1195 of 2019
Date :07/02/2019

MSI/VR/SAR-III/13.02.2019-2P/4C