



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

Friday, the Eighth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

Crl.O.P. (MD) Nos.2039 & 2049 of 2019

KAMARAJ

... PETITIONER / ACCUSED NO.2
IN CRL OP (MD) No.2039 of 2019

KASTHURI

... PETITIONER / ACCUSED NO.1
IN CRL OP (MD) No.2049 of 2019

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
MAYILADUTHURAI POLICE STATION,
NAGAPATTINAM DISTRICT.
CRIME NO.681/2018

... RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : MR.S.RAMAKRISHNAN, Advocate
for MR.B.JAMEEL ARASU Advocate
IN BOTH THE PETITIONS

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl.Side)
IN CRL OP (MD) No.2039 of 2019

: MR.S.CHANDRASEKAR, Additional Public Prosecutor
IN CRL OP (MD) No.2049 of 2019

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

ORDER : The Court Made the following order :-

The petitioners in both petitions, who was arrested and remanded to judicial custody since 02.01.2019 for the offence punishable under Sections 8(c) r/w 20(b), (ii) (B) of N.D.P.S.Act 1985, in Crime No.681 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioners and others were found in possession of 1.100 kilo grams of Ganja and the same has been seized by the respondent police. Hence, the case.



3.The learned for the petitioners 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 Government Advocate (Crl. Side) would submit that the contraband is commercial quantity and the A1 is having one previous case and A2 is having six previous cases against them. Moreover, the petitioners are not satisfying the requirement under Section 37 of NDPS Act.

5.Considering the materials seized in this case is commercial quantity and since 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, these Criminal original petitions stands dismissed.

sd/-
08/02/2019

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

TO

- 1 THE INSPECTOR OF POLICE,
MAYILADUTHURAI POLICE STATION,
NAGAPATTINAM DISTRICT.
- 2 THE OFFICER INCHARGE,
WOMENS PRISON, TRICHY.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
Crl.O.P.(MD)Nos.2039 & 2049 of 2019
Date :08/02/2019

JM/VR/SAR 2/14.02.2019/2P/4C