



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.243 of 2019

SELVAM

... PETITIONER/ACCUSED No.1

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE
NIBCID, THENI, THENI DISTRICT.
IN CR NO. 12 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : MR.K.SARAVANA BAGAVATHY, 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, who was arrested and remanded to judicial custody since 25.01.2018 for the offence punishable under Sections 8 (c) , 20 (b), (ii), (C), and Section 25(A) of N.D.P.S.Act, in Crime No.12 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 25.01.2018 at about 8.15 p.m. the respondent police conducted a raid along with his police party, a vehicle check up from Batlagundu to Theni Bye Pass Road near Devathanapatti Jeyamangalam Junction. At that time, the petitioner and other accused persons were riding a car having Turbo Silver Colour carrying 3 bags of contraband weighing about 70 Kilo grams of Ganja. Hence, the complaint.

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 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, this Criminal original petition stands dismissed.

sd/-
07/02/2019

/ TRUE COPY /

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

TO

- 1 THE SUB INSPECTOR OF POLICE
NIBCID, THENI, THENI DISTRICT
- 2 THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.243 of 2019
Date :07/02/2019

TM
PK/PN/SAR-1/18.02.2019 : 2P/4C