



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) Nos.20012 AND 20041 of 2018

1 SELVAM
2 SATHYARAJ

... PETITIONER / ACCUSED No. 4 & 6
IN CRL OP(MD) No. 20012 of 2018

1 RAJPANDI
2 RAJKIRAN

... PETITIONER / ACCUSED No. 3 & 7
IN CRL OP(MD) No. 20041 of 2018

Vs

THE STATE:
REP. BY INSPECTOR OF POLICE
TALUK POLICE STATION,
THANJAVUR DISTRICT
(CRIME NO.332/2018)

... RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : Mr.MA.KARUNANITHI Advocate
IN BOTH THE PETITIONS

For Respondent : MR.S.CHANDRASEKAR, ADDITIONAL PUBLIC PROSECUTOR
IN BOTH THE PETITIONS

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

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody since 09.10.2018 for the offence punishable under Sections 8 (C) r/w.20(b) (ii) (C) of NDPS Act, 1985 in Crime No.332 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on the basis of the information, when the respondent police conducted a raid in the house of the 1st accused and other accused who were working under him, they seized 30 Kilo grams of Ganja. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have 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 petitioners is not satisfying the requirement under Section 37 of NDPS Act.

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5.Considering the materials seized in this case is commercial quantity and since the petitioners are not satisfying the requirement under Section 37 of NDPS Act, this Court is not inclined to grant bail to the petitioners.

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 INSPECTOR OF POLICE
TALUK POLICE STATION,
THANJAVUR DISTRICT
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER
IN
CRL OP(MD) Nos.20012 and
20041 of 2018
Date :07/02/2019

MSI/VR/SAR-III/14.02.2019-2P/4C