



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

Date : 22/01/2020

PRESENT

The Hon'ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.885 of 2020

Rani

... Petitioner/3RD Accused

Vs

The State rep.,by
The Inspector of Police,
Kannivadi Police Station,
Dindigul District.
Crime No.147 of 2019

... Respondent/Complainant

For Petitioner : M/s.S.Muniyandi,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

for Bail in Crime No.147 of 2019 on the file of the respondent police.

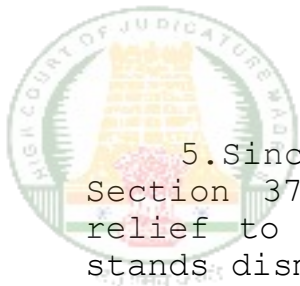
ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 15.12.2019 for the offences punishable under sections 8(c) r/w 20(b)(ii)(C) and 25 of NDPS Act, in Crime No.147 of 2019 on the file of the respondent police. He seeks bail.

3. The contraband involved in this case is of commercial quantity. The petitioner, therefore, has to satisfy the tests laid down in Section 37 of the NDPS Act. The petitioner is having three previous cases under NDPS Act. It is stated that one of them is of commercial quantity. Therefore, this Court will not be in a position to give a finding that the petitioner, after coming out on bail, will not commit any offence.

4.The allegation of the prosecution is that the petitioner has supplied the contraband to the other accused from whom it was recovered.



5. Since the petitioner does not fulfil the tests laid down in Section 37 of the NDPS Act, I do not find it possible to grant relief to the petitioner. Hence, this criminal original petition stands dismissed.

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

TO

1. THE INSPECTOR OF POLICE,
KANNIVADI POLICE STATION,
DINDIGUL DISTRICT.
2. THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN, MADURAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.885 of 2020
Date :22/01/2020

RMI
TK/VR/SAR.2/31.01.2020/2P/4C