



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 13/03/2020
PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4575 of 2020

Pandiyarajan

... Petitioner/Accused No.2

Vs

The Inspector of Police,
NIB CID., Nagapattinam.
(Crime No.5 of 2020).

... Respondent/Complainant

For Petitioner : M/s.K.Kumaravel,
Advocate.

For Respondent : Mr.S.Chandrasekar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.5 of 2020 on the file of the Respondent Police

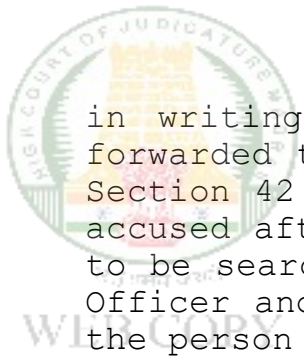
ORDER : The Court made the following order :-

The petition for bail for alleged offence under Sections 8(c) r/w.20(b)(ii)(c), 29(i) and 25 of Narcotic Drugs and Psychotropic Substances Act.

2. The petitioner was arrested by the respondent police on 07.02.2020 for illegal possession of 22 Kg of Ganja in his vehicle bearing Reg. No. TN 49 BH 9369 white colour TATA Indigo ecs Car.

3. The learned counsel for the petitioner submits that there is violation of mandatory provisions of Section 42 and 50 of NDPS Act, therefore he seeks bail.

4. Though the alleged contraband seized is commercial quantity the persual of the CD file reveals that based on the prior information received from the source, information has been reduced



in writing by the Inspector of Police, NIB-CID, Nagapattinam and forwarded to the Deputy Superintendent of Police in compliance with Section 42 of the NDPS Act. Thereafter the team has intercepted the accused after informing his right under Section 50 of the said Act to be searched before the nearest Magistrate or before the Gazetted Officer and search was conducted and contraband was not seized from the person but in the car driven by the accused person.

5. Hence this Court is of the opinion that there is no merit in the bail petition in the light of Section 42 and 50 of NDPS Act. When there is *prima facie* case against the petitioner, this Court is not inclined to grant bail to the petitioner.

6. In the result, this petition is dismissed.

sd/-
13/03/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SUPERINTENDENT,
CENTRAL JAIL, TRICHY.
- 2 The Inspector of Police,
NIB CID., Nagapattinam.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.4575 of 2020
Date :13/03/2020

ME/JC/SAR 3/18.03.2020/2P/3C