



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

Date : 01/09/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.6760 of 2020

Kanmani

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Mandapam Police Station,
Ramanathapuram District.
Crime No.184 of 2020

... Respondent/Complainant

For Petitioner : M/s.D.Balamurugapandi, Advocate.
For Respondent : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioner on bail in Cr.No. 184 of 2020 on the file of respondent police.

ORDER : The Court made the following order :-

The petitioner herein was arrested and remanded to judicial custody on 06.05.2020 for the alleged offence under Section 8(c) r/w 20(b) (ii) (C) of NDPS Act, in Crime No.184 of 2020.

2. The case of the prosecution is that there are totally two accused in this case and the petitioner is arrayed as A-1. On secret information the respondent police has enquired the petitioner/A-1 who is sitting in a car being registration No.TN-19-4447, wherein, the petitioner was having a big gunny bag and found in possession of 21.300 Kgms of 'Ganja'. Thereafter, after completing formalities the crime has been registered in Crime No.184 of 2020 for the offences under Section 8(c) r/w 20(b) (ii) (C) 25 of NDPS Act. Thereafter, the petitioner has given a confession statement that the petitioner and her husband Jegatheeswaran have purchased the aforesaid Ganja and one portion was sold to a person in Arappalayam, Madurai and also sold to Thiruppuvanam and taking the remaining Ganja to Rameswaran for selling the same. Hence, they were arrested and remanded into judicial custody from 06.05.2020.



3. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (criminal side).

4. The learned counsel appearing for the petitioner would submit that the petitioner was arrested on 06.05.2020 and now she is in judicial custody. Hence, he seeks bail.

5. The learned Additional Public Prosecutor appearing for the respondent police would submit that, after completing all formalities search was conducted and the petitioner was found in possession of 21.300 Kgms of 'Ganja' which is a commercial quantity. These petitioner is a habitual offenders.

6. Considering the fact that the petitioner is a habitual offender and considering the fact that the commercial quantity of Ganja 21.300 Kgms has been recovered from the petitioner and at this stage, this Court is no inclined to release on bail.

7. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
01/09/2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE INSPECTOR OF POLICE,
MANDAPAM POLICE STATION, RAMANATHAPURAM 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.6760 of 2020
Date : 01/09/2020

MS/VR/SAR-2/07.09.2020/2P.4C

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