



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

Date : 02/12/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.13774 of 2020

1. Yuvarajan
2. Jayasankar

... Petitioners/Accused No.5 & 6

Vs

State through,
The Sub Inspector of Police,
Vadamadurai Police Station,
Dindigul District.
In Crime No.1484 of 2020.

... Respondent/Complainant

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

For Respondent : Mr.KR.Bharathi Kannan,
Government Advocate (Crl.Side)

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

PRAYER :-For a Bail in Crime No.1484 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A-5 & A-6 were arrested and remanded to judicial custody by the respondent police on 26.09.2020 the offences punishable under Sections 8(c) r/w 20(b)(ii)(c) of NDPS Act.

2. The case of the prosecution is that the petitioners were found in possession of 300Kgs of Ganja. Hence, the crime was registered.

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

4.The learned counsel appearing for the petitioner submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that there is no material available to implicate the petitioners are an accused persons in this case. Hence, he seeks bail.



5. Per Contra, the learned Government Advocate (criminal side), on instructions, submitted that the petitioners were found in possession of 300Kgs of Ganja. He further submitted that the properties were recovered from the petitioners.

WEB COPY

6. It is seen from the records that it is a commercial quantity and there is a specific par under Section 37 of NDPS Act, 'that no person of an offence involving in crime shall be released on bail or on his own bond unless there are reasonable grounds for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail'. Hence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
02/12/2020

/ TRUE COPY /

/ /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 SUPERINTENDENT, CENTRAL PRISON, MADURAI
2. THE SUB INSPECTOR OF POLICE,
VADAMADURAI POLICE STATION, DINDIGUL DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.13774 of 2020
Date : 02/12/2020

KSA
PK/KV/SAR-IV/31.12.2020 : 2P/4C