



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/06/2021

WEB COPY

PRESENT

The Hon'ble Mr. Justice A.A. NAKKIRAN

CRL OP(MD) No.7053 of 2021

Malaichamy ... Petitioner/Accused No.3

Vs

The State by,
The Inspector of Police,
Cumbum North Police Station,
Theni District.
Crime No.1012 of 2020.

... Respondent/Complainant

For Petitioner : Mr.R.Balamuruganantham,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Criminal Side)

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

PRAYER :-

For bail in Crime No. 1012 of 2020 on the file of the respondent police.

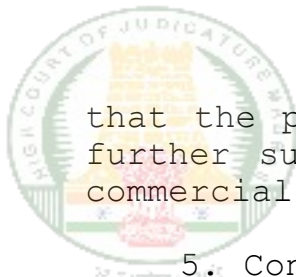
ORDER : The Court made the following order :-

The petitioner who was arrested on 06.01.2021 and remanded to the Judicial custody for past 5 months for the alleged offences under Sections 8(c), 20(b)(ii)(C), 29(1), 25 of NDPS Act, 1985 in Crime No.1012 of 2021 seeks bail.

2. The case of the prosecution is that the petitioner had illegally transported 176 kgs of Kanja by using his vehicle. Hence, the present complaint lodged against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner was in judicial custody for the past 5 months. Hence, he prays for grant bail to the petitioner.

<https://hcservices.courts.gov.in/hcservices/> 4. The learned Government Advocate (Criminal side) would submit



that the petitioner had illegally transported 176 kgs of Kanja. He further submitted that the contraband seized from the accused is commercial quantity and therefore, he opposed this bail petition.

5. Considering the facts and circumstances of the case and also considering the fact that the contraband in question is 176 Kgs of Ganja, which is a commercial quantity, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

sd/-
02/06/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI, MADURAI DISTRICT.
2. THE INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.7053 of 2021
Date :02/06/2021

KMM
SRS/VR/SAR-I/04.06.2021/2P/4C