



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

Date : 04/06/2021

PRESENT

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

CRL OP(MD)No.7092 of 2021

Sudhakar

... Petitioner/Accused No.3

Vs

The State rep.by,
The Inspector of Police,
NIB CID, Madurai.
Crime No.130/2019.

... Respondent/Complainant

For Petitioner : Mr.V.Malaiyendran,
Advocate.

For Respondent : Mr.M.Muthumanikkan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Cr.No.130 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 22.12.2019 for the offences punishable under Sections 8 (c)r/w Section 20(b)(ii)(C), 25, 27A & 29(1) NDPS Act in crime No.130 of 2019 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 38.660 kgs of ganja. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the the petitioner is in judicial custody from 22.12.2021, hence he may be granted bail.

4.The learned Government Advocate(Crl.Side) would submit that the petitioner was found in illegal possession of 38.660 kgs of ganja, which is commercial quantity. He would further submit that

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it is second bail petition and earlier, the petitioner filed a petition for bail in Crl.O.P.(MD)No.8375 of 2020 and the same was dismissed on 09.10.2020. The said fact was suppressed by the petitioner. Hence, the learned Government Advocate(Crl.side) strongly opposed this petition.

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5.Considering the facts and circumstances of the case and also the fact that earlier, the petitioner filed a petition for bail in Crl.O.P.(MD)No.8375 of 2020 and the same was dismissed on 09.10.2020, which was suppressed by the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
04/06/2021

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/ /2021
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,
NIB CID, MADURAI.
- 2.THE SUPERINTENDENT,
CENTRAL PRISON,MADURAI.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7092 of 2021
Date :04/06/2021

GNS
TK/PN/SAR.3/09.06.2021/2P/4C