



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

Date : 03/06/2021

PRESENT

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

CRL OP(MD). No.7209 of 2021

Muthuu Irulandi

... Petitioner/Accused No.4

Vs

The State rep.by,
The Inspector of Police,
Kumuthi Police Station,
Ramanathapuram.
Crime No.128 of 2021

... Respondent/Complainant

For Petitioner : Mr.P.Ganapathi Subramanian,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.128 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on 07.03.2021 for the offences punishable under Sections 8(c) and 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act 1985 and Section 27(1) of Arms Act 1959 in Crime No.128 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 24.5kgs of Ganja. Hence, the case has been registered.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that based on the confession statement of A1, this petitioner has been arrayed as accused in this case and nothing was recovered from him.



4.The learned Government Advocate (Criminal side) submitted that the contraband seized from the accused is commercial quantity and therefore, he wanted this Court to dismiss the bail petition.

5.Considering the facts and circumstances of the case and the fact that the contraband in question is 24.5 Kgs of Ganja, which is commercial quantity. Therefore, the petitioner will have to satisfy in terms of Section 37 of the NDPS Act. Nothing on record has been brought to show that the petitioner is not guilty of the offences in question. Therefore, this Court does not find any merit in the Petition. Hence, this Criminal Original Petition is dismissed.

sd/-
03/06/2021

/ TRUE COPY /

/ /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,
KUMUTHI POLICE STATION,
RAMANATHAPURAM.
- 2.THE OFFICER INCHARGE
DISTRICT PRISON, RAMNAD.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7209 of 2021
Date :03/06/2021

SJI
AE/AKM/SAR.2/07.06.2021/2P/4C