



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

Date : 07/06/2021

PRESENT

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

CRL OP(MD) . No.7236 of 2021

P.Arivazhagan

... Petitioner/Accused No.2

Vs

State Rep.by
The Intelligence Officer,
Narcotics Control Bureau,
Madurai Sub-Zone, Madurai.
(F.No.48/1/03/2020/NCB/MDU)

... Respondent/Complainant

For Petitioner : Mr.R.Rajesh,
Advocate.

For Respondent : Mr.C.Arulvadivel @ Sekar,
Special Public Prosecutor

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

PRAYER :- For Bail in F.No.48/1/03/2020/NCB/MDU on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 02.01.2021 for the offences punishable under Sections 20 (b)(ii)(C), 28, 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 in F.No.48/1/03/2020/NCB/MDU 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 90.300 kgs 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 the co-accused, this petitioner has been arrayed as accused in this case. He would further submit that the petitioner is in judicial custody for the past 156 days from 02.01.2021 and hence, he may be granted bail.



4.The learned Special Public Prosecutor submitted that the contraband seized from the accused is commercial quantity. He further submitted that one Prabhu is yet to be arrested and the investigation is in preliminary stage and therefore, he strongly opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and the fact that the contraband in question is 90.300 Kgs of Ganja, which is commercial quantity and the investigation is in preliminary stage, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

sd/-
07/06/2021

/ 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 INTELLIGENCE OFFICER,
NARCOTICS CONTROL BUREAU,
MADURAI SUB-ZONE, 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.7236 of 2021
Date :07/06/2021

SJI
MS/PN/SAR-2/10.06.2021/2P.4C