



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/10/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.14633 of 2021

Christhudhas

... Petitioner/Accused (A2)

Vs

State rep.by
The Inspector of Police,
Vadasery Police Station,
Kanyakumari District.
(Crime No.458/2021)

... Respondent/Complainant

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

For Respondent : M/s.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-

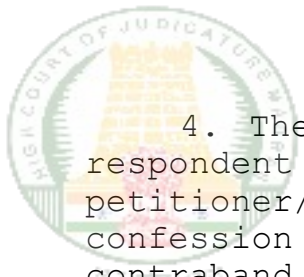
For Bail in Crime No.458 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested on 21.07.2021, for the offence punishable under Sections 8(c) and 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.458 of 2021, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 21.07.2021, the Sub Inspector of Police and his team went for a raid at Vadasery Kangamoolam Santhai and they found that the petitioner along with two other accused was in possession of 21 kgs of ganja for sale.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Further, the petitioner was not in possession of any contraband as alleged by the prosecution and he is also not involved in any other offence. However, he has been languishing in jail from 21.07.2021. Since he is the only bread winner of his family, he prayed for grant of bail.



4. The learned Additional Public Prosecutor appearing for the respondent Police opposed for grant of bail stating that the petitioner/A2 was initially arrested with A3 and only based on their confession statement, A1 was arrested, from whom, the entire contraband of 21 kgs. of ganja has been recovered. Apart from this case, the petitioner is also involved in two other cases. He further submitted that the investigation is at the initial stage. Hence, he prayed for dismissal of the petition.

5. Considering the nature of offence, the antecedent of the petitioner and also the fact that the investigation is at the initial stage and though there was no recovery from the petitioner, the entire contraband of 21 kgs. of ganja has been recovered from A1, who was arrested based on the confession statement of the petitioner herein and in view of provisions under Section 37 of NDPS Act, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

Sd/-
25/10/2021

/ TRUE COPY /

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

OGY

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,
VADASERY POLICE STATION,
KANYAKUMARI DISTRICT.
2. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.14633 of 2021
Date :25/10/2021