



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/10/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.15383 of 2021

Muthupandi,

... Petitioner/Accused No.3

Vs

State Rep by,
The Inspector of Police,
Cumbum North Police Station,
Theni District.
Crime No. 631 of 2021.

... Respondent/Complainant

For Petitioner : Mr.C.Jeganathan,
Advocate.

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

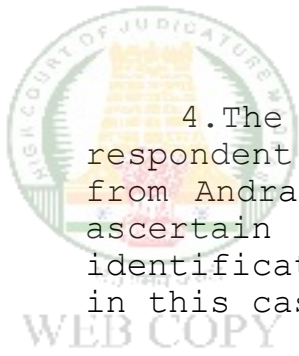
For Bail in Crime No.631 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested on 26.08.2021 for the offence punishable under Sections 8(c) r/w 20(b)(ii)(C) and 29(1) and 25 of NDPS Act in Crime No.631 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused persons were found in illegal possession of contraband ganja weighing 52 kgs in two plastic bags. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is an innocent and he is in no way connected with the alleged occurrence. This petitioner has been falsely roped in, based on the confession of one Sundarapandian. He further submitted that there is no adverse antecedent as against the petitioner and no recovery was made from this petitioner. The petitioner is in judicial custody from 26.08.2021. Hence, he seeks bail to the petitioner.



4.The learned Additional Public Prosecutor appearing for the respondent would submit that the accused persons purchased ganja from Andrapradesh, to sell the same in local market. In order to ascertain their nexus, collecting call details, conducting an identification parade and the custodial interrogation are necessary in this case. Hence, he prays to dismiss the bail.

5.Considering the quantity of contraband involved in this case and the gravity of offence committed by the petitioner and also the vehement objection raised by the learned Additional Public Prosecutor, this Court is not inclined to enlarge the petitioner on bail.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
22/10/2021

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

PNM

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

ORDER
IN
CRL OP(MD) No.15383 of 2021
Date :22/10/2021

PKP/VR/SAR-4/01.11.2021/2P/4C