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

Date : 02/12/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.18469 of 2021

Christhudhas ... Petitioners/Accused(A2)

Vs

State Rep.by
The Inspector of Police,
Vadasery Police Station,
Kanyakumari District.
Cr.No.458 of 2021.

... Respondent/Complainant

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

For Respondent : Mr.P.Kottaisamy,
Government Advocate (Crl.Side)

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, who was arrested on 21.07.2021, for the offences punishable under sections 8(c) and 20(b) (ii) (c) of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.458 of 2021, 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
<https://hcservices.ecourts.gov.in/hcservices/>



Kangamoolam Santhai and they found that the petitioner along with two other accused was in possession of 21 kgs of Ganja for sale.

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3.The learned counsel appearing for the petitioner submits that this is the second petition filed by the petitioner for bail. The earlier petition was dismissed by this Court on 25.10.2021. He further submits that the petitioner is ready to abide by any conditions imposed on him by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) submits that this is the second bail petition. Earlier petition filed by the petitioner for bail was dismissed by this Court observing that the petitioner is having two other cases pending against him and the investigation is at the initial stage. It is further observed that 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 and in view of the provisions under Section 37 of NDPS Act, the petitioner was not entitled for the relief of bail. Further, as of now, there is no change in circumstances.

5.Considering the observations made by this Court as above, and since there is no change in circumstances, after the dismissal of earlier petition, this Court is not inclined to grant bail to the



6. Accordingly, the Criminal Original Petition is dismissed.

sd/-
02/12/2021

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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 Superintendent,
Central Prison, Palayamkotati.
2. The Inspector of Police,
Vadasery Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.18469 of 2021
Date : 02/12/2021

RS/PN/SAR4(10.12.2021) 3P-4C