



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 12/08/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

WEB COPY

Crl.OP(MD)No.6303 of 2022

1.Moovendran
2.Prabhu

... Petitioners/Accused 1 & 2

Vs.

The State rep.by
The Inspector of Police,
NIBCID Trichy Police Station,
Trichy District.
(Crime No.20 of 2020)

... Respondent/Complainant

For Petitioner : Mr.S.PANDIYARAJ, 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.20 of 2021 on the file of the Respondent Police.

ORDER:- The Court made the following order:-

The petitioners, who are arrayed as A1 and A2 were arrested, on 22/09/2021 and remanded to judicial custody for the alleged offences punishable under sections 8(c), 20(b)(ii)(C) and 25 of NDPS Act, in Crime No.20 of 2021 seek bail.

2.The case of the prosecution is that the de-facto complainant along with the police team on a secrete information from the police informer, were on surveillance near Samayapuram Weekly Vegetable Market. At that time, they found a lorry bearing Registration No.TN-82-A-2567 parked. That was identified by the police informer. They searched the vehicle. At that time, the accused Moovendran and Prabhu were found. As per the procedure, search was made and they were found in possession of 132 kgs of ganja. Based upon that, further process was undertaken.

3.Seeking bail, these petitioners, who are arrayed as A1 and A3 filed this petition.

4.Heard both sides.

5.Since it is a commercial quantity, the petitioner has to satisfy the requirement of section 37 of the NDPS Act. Except stating that this petitioner has falsely implicated in this case, no



previous bad antecedent is reported against him and he is in jail for more than a year, no ground has been made out.

6.It is further submitted that only on the basis of the confession of the co-accused, this petitioners have also arrayed as an accused. Except the confession statement of the co-accused, no other material is available.

7.But reading of the FIR shows that the petitioners were also found along with the co-accused with the above said contraband. So the contention that except the confession statement of the co-accused, no other material has been collected or available is not correct on record. Reading of the CD file also shows that a big network is operating along with the petitioners for the purpose of transporting and selling the ganja.

8.Considering the allegation against the petitioners, as mentioned earlier, if the petitioners are released on bail, there is no guarantee that they will not commit the similar offence. So, I find no reason to differ from the view that has been taken by the learned Special Judge, Pudukkottai.

In the result, this criminal original petition is liable to be dismissed and accordingly, it is **dismissed**.

sd/-

12/08/2022

/ TRUE COPY /

/09/2022

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

ORDER IN

CRL OP(MD) No.6303 of 2022

Date :12/08/2022

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SA/SVR/SAR.2/02.09.2022/2P/4C

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