



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/05/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) . No.7839 of 2022

1.Manikandan

2.Mennen @ Viji ... Petitioners/Accused Nos. 1 & 2

Vs

State Rep. by
Intelligence Officer,
Narcotics Control Bureau,
Madurai Sub Zone, Madurai. ...Respondent/Complainant

For Petitioners : Mr.S.Ramsundara Vijayaraj, Advocate.

For Respondent : Mr.C.Arul Vadivel @ Sekar,
Special Public Prosecutor for NCB Cases

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

PRAYER :-

For Bail in NCB.F.No.48/1/06/2021/NCB/MDU on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners /accused, who were arrested and remanded to judicial custody on 26.10.2021 for the offences punishable under Sections 8(c) 20(b) and 29 of NDPS Act 1985 @ 8(r) r/w. 20(b)(ii) (B), 22(C) and 29 of NDPS Act, 1985 in NCB.F.No.48/1/06/2021/NCB/MDU on the file of the respondent police, seek bail.

2. The case of the prosecution is that based on the specific information from the office of NCB, Madurai, the respondent police have seized the commercial quantity of contraband from the accused persons. Since the present complaint is lodged against the petitioners.



3.The learned counsel for the petitioners would submit that the consignment was sent from Kerala by one Amir Sohail to the address of the 3rd accused viz., L.Murugesan, who is the resident of Pudukkottai and neighbor Village of the A1 and A2. He would further submit that A3 has compelled the petitioners to receive the Courier of A3, which is said to be an article papers and subsequently, the case was registered against the petitioners. He would further submit that the petitioners did not commit any offence as alleged by the prosecution and their names have been falsely implicated in this case. Further, no contraband was recovered from the petitioners and it is recovered only from A3. Hence, they seek bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the contra band recovered from the accused is a commercial quantity and the investigation of the case is pending.

5. On perusal of the report of the respondent it is seen that 620 grams of Dark green sticky visous liquid substance was recovered from A1 and A2. During that enquiry, based on the statement given by the petitioners, it was found that A3 / Murugesan was having 21.48 gms of Kanja and the same has been seized from him. However, the seized contraband is a commercial quantity, this Court is not inclined to enlarge the petitioners on bail.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

11/05/2022

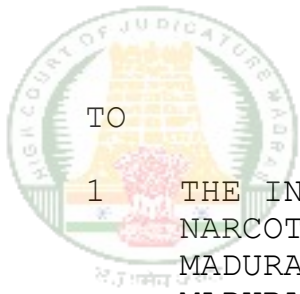
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13/05/2022

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

trp/tta

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, PUDUKKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1CCtoM/s.S.RAMSUNDAR VIJAYRAJ, Advocate (SR-4608[I]dated 11/05/2022

+1CCtoM/s.C.ARUL VADIVEL@SEKAR, Advocate (SR-4601[I]dated 11/05/2022)

ORDER
IN
CRL OP(MD) No.7839 of 2022
Date :11/05/2022

PKP/SVR/SAR-4/13.05.2022/3P/6C