



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

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.10750 of 2022

WEB COPY

Balamurugan

... Petitioner/1st Accused

Vs

State Rep.by
The Inspector of Police,
Sedapatty Police Station,
Madurai District.
(Crime No.50 of 2022).

... Respondent/Complainant

For Petitioner : M/s.S.A.Ajmalkhan, 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. 50 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who arrayed as A1 was arrested and remanded to judicial custody on 03.04.2022 in Crime No.50 of 2022 for the offence under Sections 8(c) r/w. 20(b) (ii) (C) , 29(1) of NDPS Act on the file of the respondent police seeks bail.

2.The case of the prosecution is that based on the secret information received by the Police party, the respondent police conducted raid at Peraiyur - Usilampatti road in Alligundam, on seeing the police party the petitioner attempted to run away, the respondent police nabbed and enquired the petitioner about the two white bags. Where, the petitioner found in possession of 20 Kgs of ganja.

3.The learned counsel for the petitioner submitted that the petitioner only voluntarily came and confessed that the two bags were given by Mokkalai @ Karikalai and Pothiraj gave the bags for the custody of two days and for the custody they promised to give Rs.1000/-. He would further submit that the petitioner is a farmer and there is no previous case is pending against him.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner found in possession of



20 kgs of ganja, which is a commercial quantity and the as been recovered.

5. Considering the facts and circumstance of the case and also considering the fact that the contraband recovered is commercial quantity, this Court is not inclined to grant anticipatory bail to the petitioner since Section 37 of the Act is not complied. Accordingly, this Criminal Original Petition is dismissed.

sd/-

08/08/2022

/ TRUE COPY /

/09/2022

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

TO

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

ORDER

IN

CRL OP(MD) No.10750 of 2022

Date : 08/08/2022

TRP

RS/SVR/SAR.4 (30.08.2022) 2P-4C