



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

Dated: 16/08/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.12821 of 2022

K.Bagavathi Nathan

... Petitioner/Accused No.4

Vs.

The State rep. By its
The Inspector of Police,
Kottar Police Station,
Kottar,
Kanyakumari District.
(Crime No.718 o 2021)

... Respondent/Complainant

For Petitioner : Mr.S.Palani Velayutham, Advocate

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

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

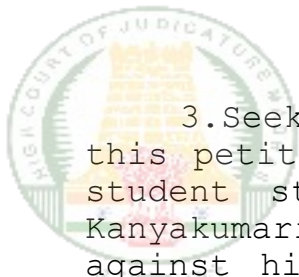
PRAYER:-

For Bail in Crime No.718 of 2021 on the file of the Respondent Police.

ORDER:- The Court made the following order:-

The petitioner, who is arrayed as A4 was arrested, on 06/08/2021 and remanded to judicial custody for the alleged offences punishable under sections 8(c) r/w 20(b)(ii)(C) and 25 of NDPS Act, in Crime No.718 of 2021 seeks bail.

2.The case of the prosecution is that the de-facto complainant lodged a complaint stating that on secrete information he visited the Vattavilai Garbages area called Royal Garden. On the basis of the information, they went to the occurrence spot and those persons identified by the police informer. They were apprehended and on enquiry, they disclosed their names as Papish, Groswin @ Maria Croswin, Bagavathi Nathan and Rejun. Search was made and they were found in possession of 21 kgs of ganja. Sampling was undertaken as per the procedure and they were arrested on the spot. Based on the above said occurrence, the case was registered.



3. Seeking bail, the petitioner who is arrayed as A4 is moved this petition on the ground that the petitioner is a college going student studying B.Sc., in Vivekanantha College, Agateeshwaran, Kanyakumari District. Eight previous cases have been registered against him falsely. The bail application that was moved before this court was dismissed by this court. Again he moved this court by way of this petition since it is a commercial quantity section 37 of the NPDS Act has to be strictly complied. Except stating that he is a college going student and he has been falsely implicated in this case, no worth considering ground is raised except stating that he is in custody for for 11 months. This is not the reason for enlarging the petitioner on bail, since he is a habitual offender, there is no guarantee that if he is released on bail, he will not commit similar offence.

4. So on the sole ground, this petition is liable to be dismissed and accordingly, is **dismissed**.

sd/-

16/08/2022

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/09/2022

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

TO

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

ORDER

IN

CRL OP(MD) No.12821 of 2022

Date :16/08/2022

er

PKP/SVR/SAR-1/20.09.2022/2P/4C