



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 17/08/2022

PRESENT

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

Crl.OP(MD)No.13433 of 2022

1.Kubendran

2.Mayee : Petitioners/Accused no. 5 & 6

Vs.

The State rep. By
The Inspector of Police,
Austinpatti Police Station,
Madurai District.
(Crime No.67 of 2022)

: Respondent/Complainant

For Petitioners : Mr.K.Gunasekara Pandian, 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.67 of 2022 on the file of the Respondent Police.

ORDER:- The Court made the following order:-

The petitioners, who are arrayed as A5 and A6 were arrested, on 29/03/2022 and remanded to judicial custody for the alleged offences punishable under sections 8(C) r/w 20(b)(ii)(C), 25, 29(1) of NDPS Act, in Crime No.67 of 2022 seek bail.

2.The case of the prosecution is that on 24/03/2022 at about 01.00 pm, on secrete information, the de-facto complainant along with police party conducted vehicle check up near Uchapatti Temple, at that time, the Car bearing registration No.TN-02-H-1008 was intercepted and four persons were found in the vehicle. On search, they were found in possession of 322 kgs of ganja. Based upon that, further process was undertaken.

3.Seeking bail, this petition came to be filed by the petitioners, who are arrayed as A5 and A6.



4.Heard both sides.

5.Reading of FIR as well as the CD file shows that huge quantity of ganja involved in this issue. According to the prosecution, the accused persons used to transport the contraband to seashore area, from there transported to some foreign countries. It appears that illegal Trading has been undertaken by the petitioners along with the co-accused involving transportation and smuggling of ganja to foreign countries. When such being the nature of the offence, it requires a detailed investigation.

6.The learned Additional Public Prosecutor would submit that call details of the petitioners have been collected and there were frequent calls between A1 and A2 and the petitioners and only upon the instructions given by the petitioners, the above said smuggling activities have been undertaken.

7.Reading of the CD file shows that there was frequent contact between the petitioners and the co-accused. As mentioned earlier, when huge quantity of contraband is involved that too involving transportation of the same to foreign countries. it requires thorough investigation process.

8.In view of the above, section 37 of the NDPS Act has not satisfactorily satisfied. So, I find no merit in this petition.

9.In the result, this criminal original petition is **dismissed**.

sd/-

17/08/2022

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/09/2022

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

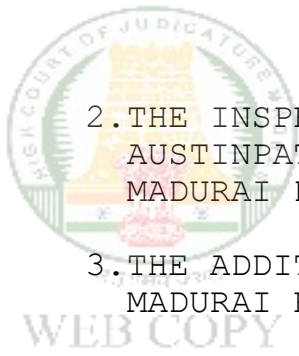
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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE SUPERINTENDENT,
CENTRAL PRISON,MADURAI.

<https://www.mhc.tn.gov.in/judis>



2.THE INSPECTOR OF POLICE,
AUSTINPATTI POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S. GUNASEKARA PANDIYAN.K Advocate SR.No.38898(f)

ORDER

IN

CRL OP(MD) No.13433 of 2022

Date :17/08/2022

RK/JM/SAR-I (02/09/2022) 3P/5C