



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Dated: 17/08/2022

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PRESENT  
The Hon'ble Mr.Justice **G.ILANGOVA**

Crl.OP(MD)No.14035 of 2022

Naveenkumar : Petitioner/Accused No.3

Vs.

State rep. By  
The Inspector of Police,  
Cumbum North Police Station,  
Theni District.  
(in Crime No.638 of 2021)

: Respondent/Complainant

For Petitioner : Mr.A.Prasanna Rajadurai

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.638 of 2021 on the file of the Respondent Police.

**ORDER** : The Court made the following order:-

The petitioner, who is arrayed as A3 was arrested, on 02/09/2021 and remanded to judicial custody for the alleged offences punishable under sections 8(c) r/w 20(b), (ii) (C) and 29(1) of NDPS Act, in Crime No.638 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 02/09/2021 at about 7.00 am, on a tip off, the police team went to the place of occurrence and looking for the accused persons. At about 7.45 am, they found three persons namely Surrender, Jeyasuriya and Naveen Kumar with a luggage. They were enquired and searched. On search, they found 21 kgs of ganja. The accused persons were arrested on the spot itself and later, remanded to custody. The contraband was also produced before the concerned court on the next day, that is on 03/09/2021.

3.Heard both sides.

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



4. Before going into the merits of the case, the manner in which the information has been furnished to the court for the purpose of obtaining bail and interim bail must be seriously taken note of.

5. When this petition was moved, it was submitted by the learned counsel appearing for the petitioner to the effect that he is the only son of his mother and his mother admitted in the hospital in ICU and is taking treatment. Being the only son, he has to take care of his mother. Only on that ground, interim bail was sought by him.

6. This petition was adjourned to get information with regard to the genuineness of the claim, that has been made by the petitioner. After thorough enquiry, it has been submitted before this court that the mother of the petitioner had two sons and also one daughter and the elder son is still available and the daughter is taking care of the mother in the hospital. So this clearly shows that the information that was furnished by the petitioner to the court for obtaining bail is totally a false one.

7. Giving false information to the court for the purpose of obtaining bail must be seriously taken note of. Such a person should be thrown out of the court instantly. So the conduct of the petitioner, dis-entitles him from claiming any relief. More-over, even on merit, the earlier bail application was dismissed and even now, there is no change of circumstances.

8. 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.

2. THE INSPECTOR OF POLICE,  
CUMBUM NORTH POLICE STATION,

<https://www.mhjn.in/> DISTRICT.



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

ORDER

IN

CRL OP(MD) No.14035 of 2022

Date :17/08/2022

RK/JM/SAR-IV (02/09/2022) 3P/4C