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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.15942 of 2022

K. Alexpandiyan, ... Petitioner/Accused No.4

Vs

State Rep.by
The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam.
(Crime No. 36 of 2022).

... Respondent/Complainant

For Petitioner : M/s. Senthilkumar A, Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.36 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A8, who was arrested and remanded to judicial custody on 01.02.2022 for the offences punishable under Sections 8 (c) r/w 20(b)(ii)(c), 25 and 29(1) of NDPS Act, 1985, in crime No.36 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused were found in possession of 450 Kg of Ganja. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that recovery was made only from A1 and no recovery was made from this petitioner. No previous case is pending against the petitioner and he is in judicial custody from 01.02.2022, hence he may be released on bail.

<https://www.mhc.org.in>



4. The learned Government Advocate (Crl. side) would submit that totally 6 accused are involved in this case. The petitioner was arrayed as A4. The petitioner along with other accused were found in possession of 450 Kg of Ganja and 3 vehicles were seized. Investigation was completed and charge sheet was filed before the learned Special Court for EC Act Cases, Thanjavur. The contraband involved in this case is commercial quantity. Hence, he strongly opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the quantity involved in this case is commercial quantity, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.
sd/-

21/11/2022

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/11/2022

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

dss

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 INSPECTOR OF POLICE
NAGAPATTINAM TOWN POLICE STATION,
NAGAPATTINAM
- 2 THE OFFICER INCHARGE
DISTRICT JAIL, NAGAPATTINAM..
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.15942 of 2022
Date : 21/11/2022

PKP/BUC/SAR-3 /29.11.2022/2P/4C