



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/11/2022

WEB COPY

PRESENT

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

CRL OP(MD). Nos.17478 of 2022

Amsupandi

... Petitioner/Accused No.6

Vs

The State represented by
The Inspector of Police,
Natham Police Station,
Dindigul District.
Crime No.71 of 2022.

... Respondent/Complainant

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

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

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

PRAYER :-

To release the Petitioner/Accused on bail in CC.No.601 of 2022 on the file of the Additional District Judge/Presiding Officer, Principal Special Court for EC and NDPS Act Cases, Madurai pending trial.

ORDER : The Court made the following order :-

The petitioner/A6, who was arrested and remanded to judicial custody on 01.04.2022 for the offence under Sections 8(c) r/w 20(b) (ii)(c), 25, 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.71 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused were found in possession of 140 kgs of Ganja illegally. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that there was no recovery from the petitioner and he was not at all present at the time of occurrence. He would further submit that

<https://www.hcjc.in/judis>



based on the confession statement of the co-accused, the petitioner has been implicated in this case and he is an innocent person and he has not committed any offence as alleged by the prosecution. Further, the petitioner is not having any bad antecedent. Investigation in this case has been completed and the charge sheet has already been filed and the case was taken on file in C.C.No.601 of 2022 by the learned Additional District Judge, Principal Special Court for EC and NDPS Act Cases, Madurai and the petitioner is in judicial custody from 01.04.2022. Hence, he prays for bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police opposed for grant of bail to the petitioner stating that the petitioner and other accused were found in possession of 140 kgs of Ganja, which comes under the commercial quantity. He would further submit that the investigation in this case has been completed and the charge sheet has already been filed before the learned Additional District Judge, Principal Special Court for EC and NDPS Act Cases, Madurai and the same was taken on file in C.C.No.601 of 2022.

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

sd/-

08/11/2022

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/11/2022

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

TO

1 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

2 THE INSPECTOR OF POLICE
NATHAM POLICE STATION, DINDIGUL DISTRICT.

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

ORDER

IN

CRL OP(MD) No.17478 of 2022

Date :08/11/2022

SS/BUC/SAR II/17.11.2022/ 2P/ 4C