



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.17878 of 2022

V.Palanisamy

... Petitioner/Accused No.4

Vs

The State Rep.by
The Inspector of Police,
Karur Town Police Station,
Karur District.
Crime No.597 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Mathiyalagan R,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

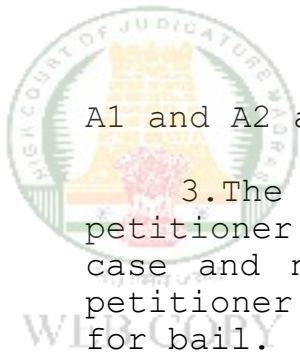
PRAYER :-

For Bail in Crime No.597 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on 31.08.2022 for the offence under Sections 8(c) r/w 20(b) (ii)(B) of NDPS Act, 1985 @ 8(c) r/w 20(b)(ii)(C), 25 and 29 of NDPS Act, 1985 in Crime No.597 of 2022, seeks bail.

2.The case of the prosecution is that on 31.08.2022 at about 05.30 hrs, based on the secret information, the respondent police conducted vehicle check up at Mochakottampalayam Bus stop in Karur, at that time, two persons came in a vehicle bearing Registration No.TN-49-AR-3276. On seeing the respondent police, A3 and A4 were turned the vehicle and tried to escape from the scene of occurrence. But the respondent police surrounded and apprehended A3 and A4. On search, the respondent police found a polythene bag, under the two wheeler seat, which contains 1.100 kgs of Ganja. After completing the procedures contemplated under the NDPS Act, the respondent police arrested A3 and A4 along with contraband and seized the



A1 and A2 and seized 20kgs of Ganja. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and no recovery was made against the petitioner herein. The petitioner is in judicial custody from 31.08.2022. Hence, he prays for bail.

4.The learned Additional Public Prosecutor would submit that totally five accused in this case and the petitioner is arrayed as A4. He would further submit that the total quantity of Ganja involved in this case is 21.100 kgs, which is a commercial quantity and the petitioner was very much present in the scene of occurrence and he was arrested along with the contraband. Hence, he strongly opposed to grant bail.

5.Considering the gravity and nature of the offence and also considering the quantity of Ganja involved in this case is a commercial quantity, this Court is not inclined to grant bail to the petitioner. Hence, 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.

SJI
TO

1. The Inspector of Police,
Karur Town Police Station,
Karur District.
2. The Superintendent, Central Prison, Trichy.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

ORDER

IN

CRL OP(MD) No.17878 of 2022

Date :21/11/2022

RD/SSS/SAR-III(28/11/2022) 2P 4C