



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 09/11/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.18948 of 2022

Sathish Pandian

... Petitioner/Accused No.2

Vs

The State represented by
The Inspector of Police,
Nibcid Ramanathapuram Police Station,
Ramanathapuram District.
in Crime No.8/2022.

... Respondent/Complainant

For Petitioner : M/s.Niranjana.S.Kumar,
Advocate.

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

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

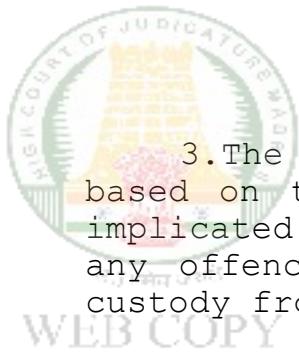
PRAYER :-

For Bail in Cr No.8/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 26.02.2022, for the offence under Sections 8(c) r/w 20(b) (ii)(C) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.8 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 25.02.2022 at about 22.30 hours, based on the secret information, the respondent police conducted vehicle check up at Amathur Police Station Limit near AAA College, at that time, A1 and A2 were coming in a Hyndai I 20 car bearing Registration No.TN-59-BE-2914. The police party stopped them and enquired them. On enquiry, they were found in illegal possession of 5 brown colour parcel, which contains 10.750kgs of Ganja and on further enquiry, they seized 193.850kgs of Ganja in 89 packets. Totally 204.600kgs of Gajna was seized by the respondent. Hence, the



3.The learned counsel for the petitioner would submit that based on the confession statement of the co-accused, he has been implicated in this case and he is innocent and he has not committed any offence as alleged by the prosecution and he is in judicial custody from 26.06.2022 and hence, he prays for bail.

4.The learned Additional Public Prosecutor would submit that there are three accused in this case and the petitioner is arrayed as A2. He would further submit that the quantity of Ganja involved in this case is a commercial quantity and the petitioner along with other accused were in possession of 204.600 kgs of Ganja and they are actively involved in drug trafficking and they tried to sell in local area in retail. He would further submit that the respondent police after completing investigation, has filed a charge sheet before the NDPS Court, Madurai and the same was taken on file in C.C.No.224 of 2022 and the case is pending for trial. If the petitioner is released on bail, there is every likelihood of absconding. Hence, he strongly opposed to grant bail.

5.Considering the facts and circumstances of the case 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.

6.However, the learned Sessions Judge, NDPS Court, Madurai is directed to complete the trial and dispose of the case in C.C.No.224 of 2022, within a period of three months from the date of receipt of a copy of this order.

sd/-

09/11/2022

/ TRUE COPY /

/11/2022

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

TO

- 1 THE INSPECTOR OF POLICE
NIBCID RAMANATHAPURAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
 - 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.NIRANJAN.S.KUMAR Advocate SR.No.12777

ORDER

IN

CRL OP(MD) No.18948 of 2022

Date :09/11/2022

SS/VR/SAR II/21.11.2022/ 2P/ 5C

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