



WEB COPY



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

Date : 22/11/2022

PRESENT

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

CRL OP(MD) . No.19486 of 2022

David @ Mariya Arokiya Dass ... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Thiruppalai Police Station,
Madurai City.
(Crime No.168 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Senthil Murugan C, Advocate.

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.168 of 2022 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 05.08.2022 for the offences punishable under Sections 8 (c), 20(b)(ii)(c), 25, 29(1) of NDPS Act, & Section 25(1)(a) of Arms Act, in crime No.168 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with others were found in possession of 40 Kg of contraband. 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 only based upon the confession of



co-accused, this petitioner was implicated in this case. The petitioner is in judicial custody from 05.08.2022. Hence, he may released on bail for taking treatment.

4.The learned Government Advocate (Crl. side) would submit that totally 6 accused are involved in this case. The petitioner was arrayed as A1. The petitioner along with others were found in possession of 40 Kg of contraband. Since the quantity involved in this case is commercial quantity, he strongly opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact the the contraband 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/-
22/11/2022

/ TRUE COPY /

/11/2022
Sub-Assistant Registrar (C.S.I)
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,
THIRUPPALAI POLICE STATION,
MADURAI CITY.
2. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.SENTHIL MURUGAN C Advocate SR.No.13497

ORDER
IN
CRL OP (MD) No.19486 of 2022
Date :22/11/2022