



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 23/11/2022
PRESENT

WEB COPY

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

CRL OP(MD) . No.19632 of 2022

Nanthakumar

... Petitioner/Accused No.2

Vs

The State rep.by
The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
Crime No.382 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Selvakumar S,
Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.382 of 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 22.09.2022 for the offence under Sections 8(C) r/w 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, in Crime No.382 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 joint possession of 22 kgs of Ganja illegally. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is in possession of 6.750kgs ganja only and this is not commercial quantity. He would further submit that the petitioner is an innocent person and he has been falsely implicated in this case. Further, the petitioner is in judicial custody from 22.09.2022. Hence, he prays for bail to the petitioners.



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 joint possession of 22 kgs of Ganja, which comes under the commercial quantity. He would further submit that the petitioner was arrested along with contraband and the investigation in this case is still pending.

5.Considering the nature and gravity of the offence and also considering the facts that the quantity of Ganja involved in this case, is commercial quantity and the investigation is still pending, this Court is not inclined to grant bail to the petitioners.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

23/11/2022

/ TRUE COPY /

/11/2022

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

TO

- 1 THE INSPECTOR OF POLICE,
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.19632 of 2022
Date :23/11/2022

cp
SA/SSS/SAR.2/07.12.2022/2P/4C