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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/12/2022

PRESENT

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

CRL OP(MD). No.21253 of 2022

Murugan @ Poosari Murugan, ... Petitioner/Accused No.4

Vs

The State Rep. by,
The Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District. Crime No.745 of 2021..
... Respondent/Complainant

For Petitioner : M/s.Muniyandi S,
Advocate.

For Respondent : Mr.T. Senthil Kumar,
Government Advocate (Crl.Side)

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

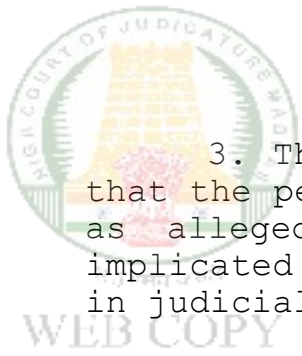
PRAYER :-

For Bail in Crime No.745 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to Judicial Custody on 29.12.2021 for the offences punishable under section 8(c) and r/w. 20(b)(ii)(C) and Section 25 of NPDS Act, in Crime No. 745 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, on receiving a secret information, the respondent police conducted raid and at that time, the petitioner herein is found in possession of 220 Kgs of Ganja and the same has been recovered. Hence, the complaint.



3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 29.12.2021 and seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent, police would submit that it is a second anticipatory bail petition filed by the petitioner and totally 220 kgs of Ganja involved in this case and the contraband seized is commercial quantity. He would further submit that the investigation of the case has been completed and the charge sheet was taken on file in C.C.No.389 of 2022 on the file of the Principal Special Court or NDPS Act Cases, Madurai. He further contended that since the contraband is commercial quantity, he prays for dismissal of this petition.

5. Considering the facts and circumstances of the case and also considering the fact that the contraband recovered is commercial quantity, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, the trial Court is directed to dispose of the C.C.No.389 of 2022 within a period of four months from the date of receipt of a copy of this order.

sd/-
01/12/2022

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/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The Principal Special Court for EC and NDPS Act Cases, Madurai
2. The Superintendent, Central Prison, Madurai.
3. The Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.



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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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ORDER
IN
CRL OP(MD) No.21253 of 2022
Date : 01/12/2022

TR/SSS/SAR-I(08.12.2022) 3P 5C