



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

Date : 09/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.2300 of 2023

Shahanas

... Petitioner / Accused No.3

Vs

State rep by
The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
(Crime No. 111/2017.)

... Respondent / Complainant

For Petitioner : M/s.Abdul Rahuman.S, Advocate.

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

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

PRAYER :-

For Bail in CC No.157 of 2021 of 2021 on the file of the I Additional Special Court for NDPS Act Cases, Madurai in Crime No.111 of 2017 on the file of the respondent police.

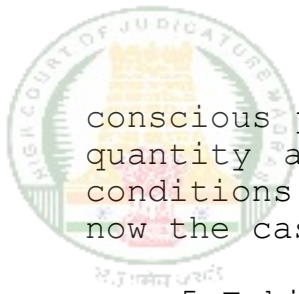
ORDER : The Court made the following order :-

The petitioner/A3 is facing a case for the offence punishable under Sections 8(c) r/w 20(b)(ii)(C) and 27(A) of NDPS Act in C.C.No.157 of 2021 on the file of the learned I Additional Special Court for NDPS Act Cases, Madurai in Crime No.111 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with the other accused were found in illegal possession of 38kgs of Ganja. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.There are five accused involved in this case and the petitioner/A3 is arrayed as A3. All the accused persons were jointly in



conscious possession of Ganja weighing 38kgs, which is a commercial quantity and also the petitioner has failed to satisfy the twin conditions as contemplated under Section 37 of NDPS Act. That apart, now the case is posted today for arguments before the trial Court.

5. Taking note of the fact that the quantity of ganja involved in this case is 38kgs, which is a commercial quantity, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-

09/03/2023

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

SJI

To

1. The Additional District Judge (FAC),
I Additional Special Court for NDPS Act Cases, Madurai.

2. The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.

3. The Superintendent,
Central Prison, Madurai.

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

ORDER

IN

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ED/SBN/SAR-2 (23/03/2023) 2P 5C