



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 31.03.2023

PRESENT

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

CRL OP (MD) No.6069 of 2023

Maniyarasan

... Petitioner/Accused No.1

Vs

State Rep through  
The Inspector of Police,  
Dindigul Town South Police Station,  
Dindigul  
In Crime No.1049 of 2021

... Respondent/complainant

For Petitioner : Mr.Niranjan S.Kumar

For Respondent : Mr.K.Sanjai Gandhi,  
Government Advocate(Crl.side)

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

PRAYER :-

For Bail in Crime No.1049 of 2021 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 12.12.2021 for the offence under Section 8(c), 20(b)(ii)(C) and 25 of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.1049 of 2021 on the file of the respondent police seeks bail.

2.The case of the prosecution is that on 12.12.2021, at about 14.00 hours, on secret information, the Inspector of Police along with other police officials went to Savariyarpalaym Check post and they stopped twh wheeler bearing Reg.No.TN 59 AZ 4575, which was driven by the petitioner herein. The police party conducted search in the white colour bag and they found that the accused persons are in illegal possession of 28 kgs of ganja. Hence, the case.

3.Heard both sides and perused the materials available in the record.  
<https://www.mhc.tn.gov.in/judis>



4. It is seen that the petitioner and other accused were found in illegal possession of 28 kgs of ganja. It is commercial quantity. That apart, the petitioner failed to satisfy the twin conditions as contemplated under Section 37 of NDPS Act. Further, the respondent police completed the investigation and filed final report, which was also taken cognizance in C.C.No.221 of 2022 by the learned I Additional District Judge for NDPS Act Cases, Madurai. Now, the trial commenced and the prosecution examined P.W.1 and P.W.2. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed. The trial Court is directed to complete the trial within a period of three months from the date of receipt of a copy of this order.

sd/-

31/03/2023

/ TRUE COPY /

/05/2023

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

GNS

TO

- 1 THE I ADDITIONAL DISTRICT  
JUDGE FOR NDPS ACT CASES, MADURAI.
- 2 THE INSPECTOR OF POLICE  
DINDIGUL TOWN SOUTH POLICE STATION, DINDIGUL
- 3 THE OFFICER INCHARGE,  
DISTRICT PRISON,  
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to M/s.NIRANJAN.S.KUMAR, Advocate ( SR-5263[I] dated  
31/03/2023 )

ORDER

IN

CRL OP(MD) No.6069 of 2023

Date :31/03/2023

SS/MMS/SAR III/17/05/2023/2P/6C