



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.03.2023

WEB COPY

PRESENT

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

CRL OP(MD)No.5886 of 2023

U.Mathiyalagan @ Mathi

... Petitioner/Accused No.2

Vs

The State through
The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam District.
(Cr.No.261 of 2022)

... Respondent/Complainant

For Petitioner : Mr.N.Anandakumar, Advocate

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

C-32B. For Bail in Crime No.261 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 30.08.2022 for the offence under Section 8(c) r/w 20(b) (ii)(c) & 29(1) of NDPS Act in Crime No.261 of 2022 on the file of the respondent police seeks bail.

2.The case of the prosecution is that the defacto complainant is the Inspector of Police, Nagapattinam and on 30.08.2022, based on secret information, the defacto complainant and other police parties went to the place of the complainant Keelkarai. At about 09.00 am., they found two



persons standing near thorny bush and they were surrounded by the police party. On search, they found the accused persons were in illegal possession of 21 kgs of ganja. Hence, the case.

3. Heard both sides and perused the materials available on record including the First Information Report.

4. Admittedly, the petitioner along with A1 were in possession of ganja weighing 21 kgs. It is commercial quantity. That apart, the petitioner failed to satisfy the twin conditions as contemplated under Section 37 of NDPS Act. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
29/03/2023

/ TRUE COPY /

/05/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS
TO

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

ORDER
IN
CRL OP(MD) No.5886 of 2023
Date : 29/03/2023

PKP/VR/SAR-4/09.05.2023/ **2P/4C**