



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 03/04/2023
PRESENT

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

CRL OP(MD) . No.6245 of 2023

M.Naveena

... Petitioner/4th Accused

Vs

The State rep.by
The Inspector of Police,
Dhadikombu Police Station,
Dindigul District.
(Ref. Crime No.224/2022).

... Respondent/Complainant

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

For Respondent : Mr.T.SENTHIL KUMAR,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.224/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on 28.07.2022 for the offence punishable under Sections 8(c) r/w.20(b)(ii)(C), 25 of NDPS Act in crime No.224 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 34kgs of ganja, hence the case.

3. The learned counsel for the petitioner would submit that except the confession of the co-accused there is no other material available to connect the petitioner with the crime and even as per the case of prosecution A1 to A3 were found in possession of 34 kgs of ganja.

4. The learned Additional Public Prosecutor would submit that the petitioner along with other accused were found in conscious

<https://www.mhc.tn.gov.in/judis>



possession of 34kgs of ganja, which is a commercial quantity. He seeks dismissal of the petition.

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

6. Considering the above facts and circumstances of the case and also the fact that petitioner fails to satisfy the twin test as contemplated under Section 37 of the NDPS Act, the petitioner is not entitled for bail.

7. Hence the petition stands dismissed.

sd/-

03/04/2023

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/04/2023

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

AAV

TO

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

ORDER

IN

CRL OP(MD) No.6245 of 2023

Date :03/04/2023

SA/VR/SAR.3/10.04.2023/2P/4C