



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

Date : 10/04/2023

PRESENT

WEB COPY

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

CRL OP(MD) . No.6543 of 2023

Jeyaprakash

... Petitioner / Accused No.2

Vs

The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.
Crime No.50/2022).

... Respondent/Complainant

For Petitioner : M/s.Jegadeesha Pandian V M, 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.50/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 01.06.2022 for the offence under Sections 8 (c), 22(c) of Narcotic Drugs and Psychotropic Act, 1985 and Sections 20 and 30 of Arms Act, 1959 in Crime No.50 of 2022 on the file of the respondent, seeks bail.

2. The case of the prosecution is that on 01.06.2022, based on the secret information received by the respondent Police went to raid nearby Peraiyur Kanmoi towards Kamudi road wherein under the bridge three accused persons stood with 2 two-wheelers. On seeing the Police, the accused persons threw the parcel and deadly weapons into the bush and ran away from the spot and the respondent Police arrested the petitioner and two other persons who escaped from the scene of occurrence. Based on the confession statement of the petitioner, the respondent Police seized one parcel and three deadly weapons which were thrown out by the accused persons. In the said parcel, the respondent found contraband (medicine powder) weighing one kilogram. Based on the seizure, the respondent registered the



F.I.R in Crime No.50 of 2022 against the petitioner and two l.

3. The learned counsel appearing for the petitioner would submit that the petitioner is no way connected with the said offence and the respondent Police have not seized any contraband from the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner along with other accused was found in possession of 1000 grams of diazepam power and opposed for granting bail to the petitioner.

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

6. It is seen that there are totally three accused, in which the petitioner is arraigned as Accused No.2. Accused Nos.1 and 2 were found in possession of contraband weighing 1000 grams of diazepam powder, which is a commercial quantity. That apart, the petitioner failed to satisfy the twin conditions as contemplated under Section 37 of the NDPS Act. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-

10/04/2023

/ TRUE COPY /

/04/2023

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

PS

To

1.The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.

2.The Officer Incharge,
District Jail,
Pudukottai, Pudukottai District.

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

ORDER

IN

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