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CRL OP(MD).



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/04/2023

PRESENT

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

CRL OP(MD) . No.6825 of 2023

S.Kasthuri,

... Petitioner/Accused NO.5

Vs

State Rep.by
The Inspector of Police,
Karur Town Police Station,
Karur District.
(Crime No.601/2022).

... Respondent/Complainant

For Petitioner : Mr.Alagumani R, Advocate.

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

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

PRAYER :-

For Bail in Crime No.601/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A5 who was arrested and remanded to judicial custody on 04.09.2022 for the offence punishable under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of NDPS Act 1985 in Crime No.601 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 03.09.2022 at about 08.00 hours, based on the secret information, when the respondent police along with police party mounted on surveillance at Periyar Valaivu Service Road near Periyandan Kovil, Karur Town. At that time, the respondent police saw four persons including the petitioner standing in a suspicious manner near service road of that area with three vehicles bearing Registration No.TN 74 AM 5159(Altra Lorry), TN 58 AR 4272(FZ two wheeler) and TN 58 AW 1476 respectively (scooty Zest) parking near them. On seeing the police, all the accused tried to escape from the scene of occurrence. But, the

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respondent police surrounded all of them. On search, the respondent police found 23kg of Ganja and also cash Rs.67,000/- recovered. After completing all the formalities under NPPS Act, the respondent police arrested the accused along with contraband of 23kgs and also seized the vehicles with cash Rs.67,000/-. Hence, the case.

3. Heard the learned counsel on either side and perused the entire materials available on record including the First Information Report.

4. All the accused were in constructive and conscious possession of 23kgs of Ganja. That apart, this Court had already dismissed the bail applications in respect of the petitioner in Crl.O.P.(MD)Nos.17941 of 2022, 22593 of 2022 and 5145 of 2023, dated 10.11.2022, 04.01.2023 and 20.03.2023 respectively. Since there is no change in circumstances, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed.
sd/-

17/04/2023

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/04/2023

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

RMK

TO

- 1 THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION, KARUR DISTRICT.
- 2 THE OFFICER INCHARGE
SPECIAL PRISON FOR WOMEN, TRICHY.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.ALAGUMANI R, Advocate (SR-6041[I] dated 18/04/2023)

ORDER

IN

CRL OP(MD) No.6825 of 2023

Date :17/04/2023

PKP/CG/SAR-3/26.04.2023/ **2P/5C**