



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11/04/2023
PRESENT

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

CRL OP(MD) . No.6625 of 2023

Panapandiyammal

... Petitioner/Accused 1

Vs

State through
The Inspector of Police,
Madurai NIBCID Police Station,
Madurai District.
(Crime No.7 of 2022)

... Respondent/Complainant

For Petitioner : Mr.S.Selvakumar, Advocate
For Respondent : Mr.T.SENTHIL KUMAR,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.7/2022 on the file of the Respondent Police.

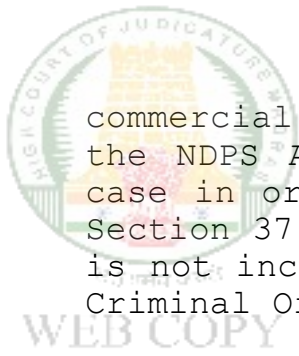
ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 12.04.2022 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) and 29(i) of NDPS Act, in Crime No.7 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that based on the secret information, the respondent police conducted a raid along with his police party on 12.04.2022 at about 06.00 hours nearby the backside of this petitioner's house, at that time, the petitioner and other accused persons were intercepted joint possession and carrying bags containing 21.300kgs of Ganja. The respondent police arrested the petitioner on the spot itself. Hence, this case.

3.The learned counsel for the petitioner submitted that there are totally two accused and the petitioner arrayed as A1. However, the respondent failed to comply with the conditions under Sections 42 and 50 of the NDPS Act. The petitioner arrested and remanded judicial custody on 12.04.2022. Hence, sought for bail.

4.It is seen that there are totally two accused and the petitioner arrayed as first accused. The first and second accused were found in possession of 21.300kgs of Ganja. It is the



commercial quantity and as such, there is a bar under Sect: of the NDPS Act. The petitioner also failed to make out *prima facie* case in order to satisfy the twin conditions as contemplated under Section 37 of the NDPS Act before this Court. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
11/04/2023

/ TRUE COPY /

/04/2023

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

RMK

TO

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

ORDER

IN

CRL OP(MD) No.6625 of 2023
Date :11/04/2023

SA/CG/SAR.4/17.04.2023/2P/4C