



WEB COPY

CRL OP(MD).



23

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

Date : 07/06/2023

PRESENT

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

CRL OP(MD) . No.8539 of 2023

Jagadish @ Murugan,

... Petitioner/Accused

Vs

State Rep.by
The Inspector of Police,
Othakkadai Police Station,
Madurai District.
Crime No.189 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Senthil Kumar R,
Advocate.

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

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

PRAYER :-

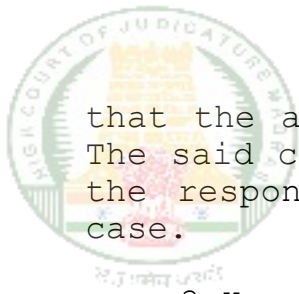
For Bail in Crime No.189 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 18.07.2022 for the offences punishable under Sections 8 (c) r/w 20(b)(ii)(C), 29(1) and 25 of NDPS Act in Crime No.189 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 21.06.2022 at 23.30 hours, the Special Patrol Team of Madurai Commercial Tax Intelligence Division conducted vehicle checkup at Madurai to Trichy by-pass road, at that time, the petitioner and the co-accused were coming in the Ashok Leyland Dosth bearing Reg.No.TN-58-BE-9688. On seeing the officials, the accused persons tried to

<https://www.mca.gov.in/fir.htm>



that the accused to be in joint possession of 810.350kgs (A1). The said contraband was seized by the said team and produced before the respondent police and sample has also been taken. Hence, the case.

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

4. It is seen that there are five accused involved in this case, in which, the petitioner is arrayed as A3. Though the first accused was found in possession of contraband weighing 810.350kgs of Ganja, it was procured by the petitioner herein. Immediately after arrest of A1, the petitioner was informed through A5 and had sent all the documents, which are connected to this case. He also informed to hide somewhere. That apart, there were phone call details between the co-accused and as such, there is incriminating evidence to implicate the petitioner as an accused in this case. He was also found in conscious and constructive possession of contraband weighing 810.350kgs of Ganja, which is a commercial quantity. However, the petitioner has also 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.

5. In the result, the petition stands dismissed.

sd/-
07/06/2023

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/06/2023

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

SJI

TO

- 1 THE INSPECTOR OF POLICE
OTHAKKADAI POLICE STATION, MADURAI 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.8539 of 2023
Date :07/06/2023

PKP/CG/SAR- /12.06.2023/ **2P/4C**

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