



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/06/2023

PRESENT

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

CRL OP(MD) . No.8769 of 2023

Mathan @ Mathankumar

... Petitioner/Accused NO.1

Vs

State through
The Inspector of Police,
Theppakulam Police Station,
Madurai City,
Madurai District.
(Crime No.634 of 2022).

... Respondent/Complainant

For Petitioner : Mr.S.Selvakumar,
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.634 of 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 16.11.2022 for the offence punishable under Sections 8 (c) r/w. 20(b)(ii)(C), 25 of NDPS Act in crime No.634 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 16.11.2022, based on information, the respondent police conducted check up. At that time, the petitioner was found in illegal possession of 21kgs of ganja. Hence, the case.



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

4. It is seen that the petitioner is having 20 previous cases. That apart, the petitioner was found in possession of 21kgs of contraband. It is a commercial quantity. The learned counsel for the petitioner would submit that the property is not produced before the concerned trial Court.

5. 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.

6. Hence the petition stands dismissed.

sd/-

12/06/2023

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/06/2023

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

MRN
TO

- 1 THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION, MADURAI CITY,
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.8769 of 2023

Date :12/06/2023

PKP/BUC/SAR- /15.06.2023/ **2P/4C**