



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.06.2023

WEB COPY

PRESENT

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

Crl.O.P. (MD) NOS.8859 & 8861 of 2023

1.Manikandan

... Petitioner/Accused No.4
in Crl.O.P.(MD)No.8859 of 2023

2.Arunpandi @ Jetli

... Petitioner/Accused No.1
in Crl.O.P. (MD)No.8861 of 2023

Vs

The State Rep.by
The Inspector of Police,
SS Colony Police Station,
Madurai City.
(Cr.No.329 of 2023)

... Respondent in both Crl.OPs.

For Petitioner : Mr.M.Karunanithi
(In both Crl.OPs.)

For Respondent : Mr.T.Senthil Kumar,
(In both Crl.OPs.)
Additional Public Prosecutor

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

COMMON PRAYER :-

For Bail in Crime No.329 of 2023 on the file of the Respondent Police.

COMMON ORDER : The Court made the following common order :-

The petitioners/A1 & A4, who was arrested and remanded to judicial custody on 10.03.2023 for the offence under section 8(c), 20(b)(ii)(C), 29(1) & 25 of NDPS Act, 1985 in Crime No.329 of 2023

On the file of the respondent police seeks bail.



2.The case of the prosecution is that on 10.03.2023, at about 08.30 hours, based on the secret information, the Police party went near M.L.M.Sutharsana Apartment, TPM Nagar, Angalaeswari Nagar, Kochadai. On seeing the police party, the petitioners and other accused persons attempted to run away. However, the respondent police napped them and on search, it was found that they were jointly in illegal possession of 23 kgs of ganja. Hence the case.

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

6.It is seen that there are totally six accused in this case, in which, the petitioners are arrayed as A1 and A4. Insofar as A1 is concerned, he involved in 21 previous cases, including NDPS cases. Insofar as A4 is concerned, he involved in three previous cases. That apart, the petitioners were found in possession of 23 kgs ganja, which is commercial quantity. The petitioners failed to satisfy the twin conditions as contemplated under Section 37 of NDPS Act. Hence, this Court is not inclined to grant bail to the petitioners. Accordingly, these criminal original petitions are dismissed.

sd/-
15/06/2023

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/06/2023

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

TO

1. The Superintendent,
Central Prison,
Madurai.
2. The Inspector of Police,
SS Colony Police Station,
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai..

ORDER
IN
CRL OP(MD) No.8859 of 2023
and 8861 of 2023
Date :15/06/2023