



WEB COPY

CRL OP(MD)



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.06.2023

PRESENT

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

CRL OP(MD)No.8900 of 2023

Gopi

... Petitioner/6th Accused

Vs

The State rep.by
The Inspector of Police,
NIB CID, Sivagangai PS.,
Sivagangai District.
(Crime No.1 of 2023)

... Respondent/Complainant

For Petitioner : Mr.M.Illiyas

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

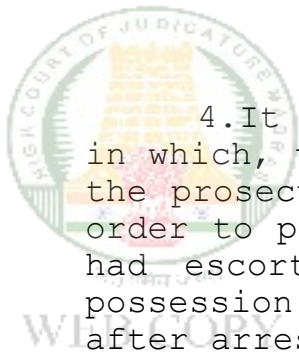
For Bail in Crime No.1 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A6, who was arrested and remanded to judicial custody on 27.01.2023 for the offence under section 8(c) r/w 20(b) (ii)(C), 25, 29(1) of NDPS Act and Sections 468, 471, 420 IPC in Crime No.1 of 2023 on the file of the respondent police seeks bail.

2.The case of the prosecution is that the accused persons were found in illegal possession of 196 kgs 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 there are totally nine accused in the case, in which, the petitioner is arrayed as A6. According to the case of the prosecution, all the accused persons went to Andhrapradesh, in order to purchase ganja. So far as the petitioner is concerned, he had escorted the vehicle of A1 & A2 and he found in illegal possession of 2 kgs of ganja. Both the vehicle came together and after arrest of the petitioner herein, A1 & A2 diverted their route. However, they were arrested in Madurai. The petitioner was arrested and subsequently, he was produced in this case on PT warrant. The petitioner contacted A1 on the date of purchase of contraband.

5. The learned Additional Public Prosecutor also produced the call details of the petitioner herein. He contacted other accused often. Therefore, there are materials to connect the petitioner along with other accused persons. Hence, all the accused persons were found in conscious and constructive possession of 196 kgs of ganja. The petitioner failed to satisfy the twin conditions as contemplated under Section 37 of NDPS Act. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is 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.

GNS

TO

1. The Superintendent,
Central Prison,
Puzhal, Chennai.
2. The Inspector of Police,
NIB CID, Sivagangai PS.,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.8900 of 2023

Date : 15/06/2023

DL/VS(27.06.2023)/ 2P/ 4C

<https://www.mhc.tn.gov.in/judis>