



WEB COPY

CRL OP(MD)



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.06.2023

PRESENT

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

CRL OP(MD)No.9100 of 2023

Padaiyappa @ Arunkumar

... Petitioner/Accused No.3

Vs

State through
The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.
(Crime No.397 of 2022)

... Respondent/Complainant

For Petitioner : Mr.S.Selvakumar

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

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

PRAYER :-

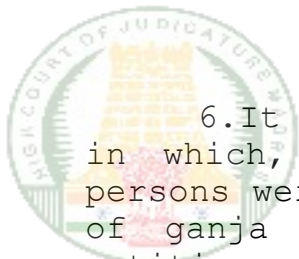
For Bail in Crime No.397 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 04.06.2022 for the offence under sections 8(C) r/w 20(b) (ii)(B), 28, 29(1) of NDPS Act @ Sections 8(C) r/w 20(b)(ii)(C), 29 (1) of NDPS Act in Crime No.397 of 2022 on the file of the respondent police seeks bail.

2.The case of the prosecution is that on 04.06.2022, based on the secret information, the respondent police went to the occurrence place and searched the accused persons. It was found that they were found in illegal possession of 5 kgs of ganja oil. 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 five accused in the case, in which, the petitioner herein is arrayed as A3. The accused persons were found in conscious and constructive possession of 5 kgs of ganja oil, which is commercial in nature. Therefore, the petitioner failed to fulfill the twin conditions as contemplated under Section 37 of NDPS Act. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed. However, the trial Court is directed to complete the trial in C.C.No.1242 of 2022 within a period of three months from the date of receipt of a copy of this order.

sd/-
16/06/2023

/ TRUE COPY /

/ /2023

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

GNS

TO

1. The Principal Special Judge,
EC&NDPS Act Court,
Madurai.
2. The Office Incharge,
Sub Jail,
Thoothukudi.
3. The The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Registrar Judicial,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.J.JEYA ARON RAJA, Advocate (SR-9161[I] dated
20/06/2023)

ORDER

IN

CRL OP(MD) No.9100 of 2023
Date :16/06/2023

DL/VS(30.06.2023)/ 2P/7C

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