



WEB COPY

CRL OP(MD)



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.06.2023

PRESENT

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

CRL OP(MD)No.9692 of 2023

Prabavathi @ Petchiyammal

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Elumalai Police Station,
Usilampatti,
Madurai District.
(Crime No.251 of 2022)

... Respondent/Complainant

For Petitioner : Mr.S.Abdul Rahuman, Advocate
For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

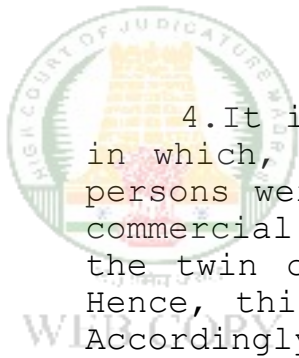
For Bail in Crime No.251 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 26.12.2022 for the offence under section 8(c) r/w 20(b) (ii)(C) and 29(1) of NDPS Act in Crime No.251 of 2022 on the file of the respondent police seeks bail.

2.The case of the prosecution is that 26.12.2022 at about 04.45 hrs, based on secret information received by the Sub Inspector of Police, the respondent police conducted raid near Muniyandi temple east side of Manuthu. On seeing police party, the petitioner and other accused persons attempted to escape. However, the respondent police nabbed the accused persons. On enquiry, it was revealed that the petitioner was in illegal possession of 7 kgs of ganja and other accused persons were jointly in illegal possession of 15 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 three accused in the case, in which, the petitioner is arrayed as A2. All the three accused persons were found in illegal possession of 22 kgs of ganja. It is commercial quantity. Therefore, the petitioner 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 petitioner. Accordingly, this criminal original petition is dismissed.

sd/-

06/06/2023

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/06/2023

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

GNS

TO

- 1 THE INSPECTOR OF POLICE, ELUMALAI POLICE STATION, USILAMPATTI, MADURAI DISTRICT.
- 2 THE OFFICER INCHARGE, SPECIAL PRISON FOR WOMEN, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.9692 of 2023

Date :06/06/2023

RS/VR/SAR-(13.06.2023) 2P 4C