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CRL OP(MD). A



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/06/2023

PRESENT

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

CRL OP(MD). No.11304 of 2023

Wellington

... Petitioner/Accused No.17

Vs

The State Rep.by
The Inspector of Police,
Soorangudi Police Station,
Thoothukudi District
(Crime No.142 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Karuppasamy Pandiyan G,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

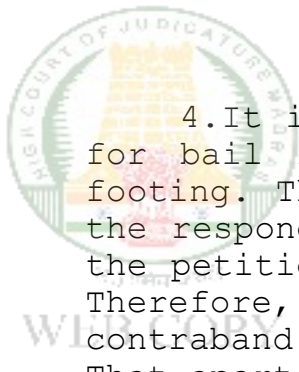
PRAYER :-For Bail in Crime No.142 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A17, who was arrested and remanded to judicial custody 05.01.2023 for the offence under Sections 8(C) r/W 20(b)(ii)(c), 25 and 29(1) of NDPS Act in Crime No.142 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 03.10.2022 at 16.00 hours, based on the secret information received by the Sub-Inspector of Police, he along with the police party went Kalaiganapuram to Vedapatti Road, while so, they found the petitioner along with other accused to be in joint possession of 540kgs of Ganja. The said contraband was seized by the respondent police and sample has also been taken. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.



4.It is seen that this Court had already dismissed the petition for bail filed by A13 and the petitioner is also in the same footing. The learned Additional Public Prosecutor would submit that the respondent police produced so many call details records between the petitioner and other accused persons on the date of occurrence. Therefore, the petitioner also found in constructive possession of contraband weighing 540kgs of Ganja, which is a commercial quantity. That apart, the petitioner has failed to satisfy the twin conditions as contemplated under Section 37 of the NDPS Act. Hence, this Court is not inclined to grant bail to the petitioner.

5.In the result, this Criminal Original Petition stands dismissed.

sd/-

23/06/2023

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/07/2023

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

TO

- 1 THE OFFICER INCHARGE,
DISTRICT JAIL, PERAORANI, THOOTHUKUDI.
- 2 THE INSPECTOR OF POLICE
SOORANGUDI POLICE STATION,
THOOTHUKUDI DISTRICT
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.11304 of 2023

Date :23/06/2023

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