



CRL OP(MD). No.12931 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12931 of 2023

Vijayan

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
Crime No.299 of 2022

... Respondent/Complainant

For Petitioner : M/s.Vishnu.J, Advocate.

For Respondent : Mr.S.Ravi, Additional Public Prosecutor.

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

PRAYER :-

For Bail in Crime No.299 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 25.12.2022 for the offences punishable under Sections 8 (c) r/w 20(b)(ii)(C) and 25, 27A, 29(1) of NDPS Act in Crime No.299 of 2022 on the file of the respondent police, seeks bail.

2.This is the second petition for bail. The earlier petition was dismissed by this Court on 26.06.2023, since the petitioner has failed to satisfy the twin conditions as contemplated under Section 37 of NDPS Act. Seeking bail, this petition has been



CRL OP(MD). No.12931 of 2023

filed.

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3.The learned Additional Public prosecutor would submit that the petitioner along with other accused found in conscious possession with the contraband, which is a commercial quantity. There is no change in circumstances. Hence, prays to dismiss the petition.

4.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5.Considering the above facts and circumstances of the case, vehement objection raised by the learned Additional Public Prosecutor and the bad antecedents of the petitioner, this Court is of the view that if he is released on bail, he may abscond or indulge in similar kind of activities. More over, the petitioner has not satisfied the requirement under Section 37 of NDPS Act. In view of the above, the petitioner is not entitled to get any discretionary relief from this Court, though this is the second petition for bail.

6.Accordingly, this Criminal Original Petition stands dismissed.

sd/-

17/07/2023

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



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TO



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- 1 THE INSPECTOR OF POLICE
ARUPPUKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 2 THE SUPERINTENDENT,
CENTRAL PRISION,
PALAYAMKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.12931 of 2023
Date :17/07/2023

RS/DD/27.07.2023/3P/4C

Madurai Bench of Madras High Court is issuing
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