



CRL OP(MD). No.13195 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13195 of 2023

Pandiselvam

... Petitioner/Petitioner/ Accused No.5

Vs

State Rep.by
The Inspector of Police,
Dindigul Town West Police Station,
Dindigul.
Crime No.568/2022.

... Respondent/Respondent/Complainant

For Petitioner : M/s. Vadivel.A, 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.568 of 2022 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner /A5, who was arrested and remanded to judicial custody on 02.01.2023 for the offence under sections 8(c) r/w 20(b) (ii)(c) and 25 of NDPS Act, in

Crime No.568 of 2022 on the file of the respondent police, seeks bail.

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



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2.This is the second petition for bail. The earlier petition was dismissed by this Court on 06.04.2023, since the petitioner has failed to satisfy the twin conditions as contemplated under Section 37 of NDPS Act and found in possession of 37 kgs of ganja. Seeking bail, this petition has been filed, on the ground that the petitioner is in custody for more than 194 days.

3.The learned Additional Public prosecutor would submit that the petitioner along with other accused found in conscious possession of the contraband, which is a commercial quantity. The petitioner is having four previous cases. 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.This Court considered the above facts and circumstances of the case, vehement objection raised by the learned Additional Public Prosecutor, commercial quantity involved in this case and the bad antecedents of the petitioner, in which, the offence under Sections 302, 307 IPC were also committed by the petitioner. I am of the view that if he is released on bail, he may abscond or indulge in similar kind or any other offence. 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.



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6. Accordingly, this Criminal Original Petition stands dismissed.

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/08/2023

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

PNM

TO

1 THE INSPECTOR OF POLICE
DINDIGUL TOWN WEST POLICE STATION,
DINDIGUL.

2 THE SUPERINTEDENT,
CENTRAL PRISON, DINDIGUL.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.13195 of 2023
Date :21/07/2023

RS/MR/SAR-(31.07.2023) 3P 4C
Madurai Bench of Madras High Court is issuing
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