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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 14/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14425 of 2023

Nagendran

... Petitioner/ Accused No.4

Vs

The State represented by
The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
Cr.No.112 of 2023.

... Respondent/Complainant

For Petitioner : M/s.S.Vikram,
Advocate.

For Respondent : Mr.S.Ravi
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.112 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused no.4 herein, who was arrested and remanded to judicial custody on 12.03.2023 for the offences punishable under Sections 8(c), r/w 20 (b)(ii)(C), 25 of Narcotic Drugs and psychotropic Substances Act, 1985, in Crime No. 112 of 2023, seeks anticipatory bail.



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2. The case of the prosecution is that on secret information the defacto complainant along with police team on 12.03.2023, at about 05.00 a.m., went to the spot, they found four persons in suspicious circumstances and enquired them. On search, they were found in possession of Ganja in various units as mentioned in the FIR. On the basis of the above said occurrence, a case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution, he has been falsely implicated in this case.

4. Learned Additional Public Prosecutor would submit that in the FIR, it is stated that this petitioner was available in the place of occurrence along with the accused, found in possession of various quantities and so far this petitioner is concerned, 24 kgs of Ganja was found in possession. On that account, he was arrested and remanded to custody. The petitioner is having two previous cases.

5. It is seen that the petitioner moved Cr.M.P.No.1141 of 2023 before the Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Madurai and the same came to be dismissed stating that the petitioner has not made out a case to satisfy the requirements of Section 37 NDPS Act. Against which, this petition has been filed on the ground that all the documents were created by the respondent for foisting false case against the petitioner. It is also stated that the petitioner is in



custody ever since his arrest.

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6. Considering the facts and circumstances of this case and the gravity of offences, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

sd/-

14/08/2023

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/09/2023

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

PNN

TO

- 1 THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

CRL OP(MD) No.14425 of 2023
Date :14/08/2023

SS/VR/08/09/2023/3P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023