



CRL OP(MD). Nos.17240 and 17241 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/10/2023

PRESENT

The Hon`ble Mr.Justice V.SIVAGNANAM

CRL OP(MD). Nos.17240 and 17241 of 2023

Kompaiya ... Petitioner/ Accused 7 in Crl.OP(MD).17240 of 2023

Ajith @ Poovarasan ... Petitioner/ Accused 9 in Crl.OP(MD).17241 of 2023

Vs

State through

The Inspector of Police,

A.Mukkulam Police Station,

Virudhunagar District.

(Crime No.19 of 2023)

... Respondent/ Complainant in both Petitions

IN BOTH PETITIONS:

For Petitioner : Mr.S. SELVAKUMAR

Advocate.

For Respondent : Mr.T.SENTHILKUMAR

Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.19/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused, who were arrested and remanded judicial custody

on 20.02.2023 for the offences under Sections 8(c) r/w. 20(b) (ii) ©, 25, 27(A) and 29(1)

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of NDPS Act in Crime No.19 of 2023 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners herein and other accused have illegally found in possession of 26.235 kgs of Ganja. Hence the case.

3.The learned counsel appearing for the petitioners would submit that it is a second bail petition and the earlier petition filed by the petitioners was dismissed by this Court on 24.04.2023 in CrI.O.P(MD).Nos. 6608 and 6619 of 2023. He would further submit that only 2.050gm was recovered from A7 and no contraband was recovered from A9. He further contended that total contraband recovered only commercial quantity and seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that it is a 2nd bail petition and the total contraband recovered is commercial quantity. He further contended that the petitioners herein are also having previous cases and the other accused have purchased the contraband from A9 and this fact was disclosed by the other accused persons and hence, strongly objected to grant bail petitioners.

5. Considering the fact that the total contraband recovered from the petitioners and other accused are commercial quantity and also the petitioners herein are having previous cases and that there is no change of circumstances after dismissal of the



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earlier petitions, this Court is not inclined to grant bail to the petitioners.

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6. Accordingly, these Criminal Original Petitions are dismissed.

sd/-
19/10/2023

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/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO
1 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

2 THE INSPECTOR OF POLICE,
A.MUKKULAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER
IN
CRL OP(MD). Nos.17240 and 17241 of 2023
Date :19/10/2023

SA/DD/SAR. /21.11.2023/3P/4C

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