



CRL OP(MD). No.18327 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/11/2023

PRESENT

The Hon'ble Mr.Justice V.SIVAGNANAM

CRL OP(MD). No.18327 of 2023

Srimathi Indiragandhi

... Petitioner/ Accused No.7

Vs

State Rep.by
The Inspector of Police,
PEW - Thoothukudi,
Thoothukudi District.
Crime No.584/2023.

... Respondent/Complainant

For Petitioner : M/s.Karthick R J,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.584/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A7, who was arrested and remanded to judicial custody on

28.08.2023 for the alleged offence punishable under Sections 8(c) r/w 20(b)(ii)(B), 25,
<https://www.mhc.tn.gov.in/judis>



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29(1) of NDPS Act, 1985, in Crime No.584 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that based on the secrete information received, on 28.08.2023, the respondent police had intercepted a Innova Cystra car bearing Reg.No.TN-07-CK-2123 and a Innova car bearing Reg.No.TN-22-CH-3280 and a Bajaj Pulsar bike bearing registration No.TN-69-AM-9690 at Madurai to Thoothukudi Highways, wherein all the accused in this case were travelled. Further, in these vehicles, 12 numbers of white color bags which contains 228 kilograms of ganja were found. Hence, the case.

3.The learned counsel appearing for the petitioners would contend that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is a law student and she was not aware of the possession of ganja in the cars and no recovery was made from this petitioner. Hence, he prays for bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent Police by filing a counter affidavit would submit that 228 kilo grams of Ganja has been recovered from the accused persons, which is the commercial quantity. Hence, he strongly opposed to grant bail to the petitioner.



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5. Heard both sides and perused the materials available on record.

6. On perusal of the records, it is revealed that the petitioner was arrested on 28.08.2023 by the respondent police at the place of occurrence. The seized contraband is the commercial quantity. The condition to grant bail is stated by the provision of Section 37 of the NDPS Act. It can be granted in a case where there are reasonable grounds for believing that the accused is not a guilty of the said offence or that he is not likely to commit any offence while on bail. Drug offence causes deleterious effects and deadly impact on the society and hazard to the society. In the instant case, there is no reasonable ground for believing that the petitioner is not guilty of the said offence. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
03/11/2023

/ TRUE COPY /

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

SKN
TO

1 THE OFFICER INCHARGE
SPECIAL SUB JAIL FOR WOMEN, KOKKIRAKULAM,
TIRUNELVELI.

2 THE INSPECTOR OF POLICE
PEW - THOOTHUKUDI, THOOTHUKUDI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.18327 of 2023
Date :03/11/2023

PKP/JGB/SAR- /06.11.2023/ 4P/ 4C

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