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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.11.2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD)No.19545 of 2023

Karthik @ Hulk Karthik ... Petitioner/Accused - 1

Vs

The State represented by
The Inspector of Police,
Town West Police Station,
Thanjavur. ... Respondent/Complainant

For Petitioner : Mr.M.Ramachandran, 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.294 of 2023 on the file of the Respondent Police.

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ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 06.03.2023 for the alleged offence punishable under Sections 8(c) r/w 20(b)(ii)(c), 25, 29(2)(a) of NDPS Act, 1985 in Crime No.294 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that when the police party conducted vehicle check up, they intercepted the petitioner, who came in Terres Lorry bearing Reg.No.TN76 AV 5563 and on search, it was found that the petitioner was in illegal possession of 280 kgs of ganja. Hence the case.

3.The learned counsel appearing for the petitioner would contend that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in custody from 06.03.2023, hence he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner is having 7 previous cases, in which two

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cases are similar in nature. Therefore, he strongly objected to grant bail to the petitioner.

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

6.On perusal of records, it is noticed that the petitioner already involved in two similar previous cases in Cr.No.690 of 2019 and Cr.No.534 of 2021. That apart, the quantity involved in the present case as well as in the previous cases is commercial quantity. Therefore, the petitioner failed to satisfy the twin conditions as contemplated under Section 37 of NDPS Act. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
16/11/2023

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

GNS

TO

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

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2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

ORDER
IN
CRL OP(MD) No.19545 of 2023
Date :16/11/2023

SS/JGB/SAR- /28/11/2023/4P/4C

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