



CRL OP(MD)No.21546 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.11.2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD)No.21546 of 2023

Asai

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Thanjavur Town West Police Station,
Thanjavur District.
(Cr.No.1260 of 2023)

... Respondent/ Complainant

For Petitioner : Mr.S.Sundarapandian, Advocate
For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor.

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

PRAYER :-

For Bail in Crime No.1260 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 04.10.2023 for the alleged offence punishable under Section 8(c) r/w Sections 20(b)(ii) (B) & 29(1) NDPS Act in Crime No.1260 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused were found in illegal possession of 15 kgs of ganja. Hence the case.

3.The learned counsel appearing for the petitioner would contend that the



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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 04.10.2023, hence he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that petitioner and other accused were found in illegal possession of 15 kgs of ganja. That apart, the petitioner is having nine previous cases, in which, one case is similar in nature.

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

6.On perusal of records, it is noticed that the petitioner was found in illegal possession of ganja and he has one similar previous case. Hence, the petitioner failed to satisfy the twin conditions as contemplated Section 37 of NDPS Act. Therefore, this Court is not inclined to grant anticipatory bail. Accordingly, this criminal original petition is dismissed.

sd/-
30/11/2023

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/12/2023

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

gns



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

2 THE OFFICER INCHARGE, SUB JAIL, PUDUKOTTAI.

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

ORDER

IN

CRL OP(MD) No.21546 of 2023

Date :30/11/2023

RS/JGB/SAR-(14.12.2023) 3P 4C

Madurai Bench of Madras High Court is issuing
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