



WEB COPY

CRL OP. 21160 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-12-2024

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP. 21160 of 2024

MANOJ KUMAR MAJHI
S/O NARASINGH KUMAR MAJHI,
KALIDASPUR, BALIMEDA, BALIMED,
BHADRAK, ODISHA 477 OF 2024

PETITIONER

Vs

STATE OF TN
THE INSPECTOR OF POLICE ,
PEW ERODE POLICE STATION,
ERODE DISTRICT.
CRIME NO 477 OF 2024

RESPONDENT

For Petitioner : MR.M.VIGNESH

For Respondent : MR.S.BALAJI,
GOVERNMENT ADVOCATE (CRL.SIDE)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.05.2024 for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(C) of NDPS Act, in Crime No.477 of 2024 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that based on the secret information about the illegal transport of ganja, the respondent police and his team went to the scene of occurrence at HP Petrol Bunk, near Railway Station within Erode South Police Station Circle, where they found the petitioner along with other accused was found in illegal possession of 20.600 kgs of ganja. Hence the case.

3. Learned counsel appearing for the petitioner submitted that this is the second bail petition filed by the petitioner. He further submitted that the petitioner is an innocent person and a false case has been foisted against him and he is is no way connected with the crime. He further submitted that the petitioner was already granted interim bail due to the death of his mother and now the father of the petitioner is not well, and that the petitioner is in custody from 24.05.2024 and the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that when the respondent police received a secret information about the illegal transport of ganja, they



went to the scene of occurrence, wherein they found the petitioner along with other accused is in possession of 20.600 kgs of ganja, which is a commercial quantity. He further submitted that based on the confession statement of A1, he grows the ganja plant in his own land and sells it to Accused/A2. He further submitted that the entire contraband was recovered from this petitioner, and that the petitioner has one previous case, similar in nature, pending against him, and that the petitioner belongs to the native of Orissa. He further submitted that the investigation is completed and the charge sheet to be filed before the Special Court for EC & NDPS Court, Coimbatore. Hence, he vehemently opposed for the grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and also perused the materials available on record.

6. Considering the representation made by both side counsel, grave nature of offence and the quantity of contraband involved is a commercial quantity, even as per the prosecution, the entire contraband was recovered from this petitioner, and the petitioner has one previous



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P.DHANABAL, J.

drl

case similar in nature pending against him, investigation was completed and now the case is posted for trial, and already this court dismissed the earlier bail application and there is no change of circumstances, therefore at this stage, it is not appropriate to consider the bail application of the petitioner. Hence, this Criminal Original Petition stands dismissed.

11-12-2024

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To

1. STATE OF TN
THE INSPECTOR OF POLICE ,
PEW ERODE POLICE STATION,
ERODE DISTRICT.
CRIME NO 477 OF 2024

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