



CRL OP(MD) No.152 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Eighth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.152 of 2024

DAVID @ MARIYA AROKIYA DASS

... PETITIONER/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
THIRUPPALLAI POLICE STATION,
MADURAI CITY, MADURAI.
CRIME NO.168/2022

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.CHANDRABOSE, Advocate

For Respondent : MR.B.NAMBISELVAN, Additional Public Prosecutor

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

PRAYER : FOR BAIL IN CRIME NO.168/2022 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 05.08.2022 for the offence punishable under Sections 8(c), 20(b)(ii)(c), 25 and 29(1) of NDPS Act and section 25(1)(a) of Arms Act, 1959 in Crime No.168 of 2022 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal

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possession of 40 kgs of contraband. Hence, the complaint.

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3. Heard the learned counsel on either side and perused the material records of the case.

4. It appears that this is the third application for bail and the first bail application filed by the petitioner in Crl.OP(MD)No.19486 of 2022 was dismissed by this Court on 22.11.2022 on the ground that the contraband involved in this case is a commercial quantity and the second bail application filed by the petitioner in Crl.OP (MD)No.12118 of 2023 was dismissed as withdrawn on 19.07.2023. Now, this application is filed by the petitioner without referring the change of circumstances to consider the case.

5. Considering the above facts and circumstances of the case and also considering the fact that there is no change in circumstances, since the dismissal of the earlier petition, this Court is not inclined to grant bail to the petitioner.

6. In the result, this Criminal Original Petition is dismissed.

sd/-
08/01/2024

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/01/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE INSPECTOR OF POLICE, THIRUPPALLAI POLICE STATION,
MADURAI CITY, MADURAI.

2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

ORDER

IN

CRL OP(MD) No.152 of 2024

Date :08/01/2024

RS/VR/SAR-(24.01.2024) 3P 4C

Madurai Bench of Madras High Court is issuing
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