



CRL OP(MD) No.327 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.327 of 2024

SHANTHI

... Petitioner / Accused Rank not known

Vs

THE INSPECTOR OF POLICE
THENI PEW POLICE STATION,
THENI DISTRICT.
(CRIME NO.202 OF 2023.)

... Respondent / Complainant

For Petitioner : M/s.S.Selvakumar, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER : FOR BAIL IN CRIME NO.202 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody
on 07.03.2023 for the alleged offences under Sections 8(C) r/w 20(b)(ii)(B), 29(1) and
25 of NDPS Act @ 8(C) r/w 20(b)(ii)(C), 29(1) and 25 of NDPS in Crime No.202 of



CRL OP(MD) No.327 of 2024

2023 on the file of the respondent Police, seek bail.

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2. The case of the prosecution is that on 07.03.2023 at about 10.15 hours, based on the secret information, the respondent Police along with his team were in regular patrolling near VPR College in P.C Patti Police Station, the respondent Police intercepted a Yamaha two wheeler bearing Registration No.TN-60-By-1981. On seeing the respondent Police, two accused persons tried to escape from the scene of the occurrence. The respondent Police surrounded A.3 and A.4 and they were found in possession of 1.100 kgs of Ganja in a pocket wrapped with brown colour tape in a big shopper. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not involve in any such allegations levelled in the F.I.R and she is no way connected with the alleged occurrence.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner was present at the scene of occurrence and she and other accused were found in joint possession of 24.700 kgs of Ganja and opposed for granting bail to the petitioner.

5. Heard. Perused the materials available on record including the First Information Report.

6. There are totally nine accused, in which, this petitioner was arrayed as



CRL OP(MD) No.327 of 2024

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accused No.7. Perusal of the records revealed that Accused No.3 purchased the contraband from Accused Nos.1 and 2 to sell it in retail. Further, it revealed that A.1, A.6 to A.8 used to purchase the contraband from A.5 and they hide the contraband in a secret place, which was safeguarded by A.9, who is close associate of the other accused. The petitioner was in joint possession of 24.700 kgs of Ganja, which is a commercial quantity. That apart, the petitioner failed to fulfil the twin conditions as contemplated under Section 37 of the NDPS Act in order to satisfy the Court. The earlier bail petitions filed by the petitioner were dismissed by this Court on 14.06.2023.

7. Considering the facts and circumstances of this case and also considering the fact that the seized contraband from the petitioner is the commercial quantity and there is no change in circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
29/01/2024

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/02/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU



CRL OP(MD) No.327 of 2024

To தலைவர் அவர்கள்

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1.The Inspector of Police,
Theni PEW Police Station,
Theni District.

2.The Officer Incharge,
Special Prison for Women,
Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.327 of 2024

Date :29/01/2024

ED/ GS /SAR- (01/02/2024) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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