



CRL OP(MD) No.181 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.181 of 2024

MUTHURAJA

... PETITIONER/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
USIAMPATTY TOWN POLICE STATION,
MADURAI.

(IN CRIME NO.129 OF 2023)

... 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 :

TO ENLARGE THE PETITIONER ON BAIL IN C.C.NO.1019/2023 ON THE FILE OF PRINCIPAL SPECIAL COURT FOR TRIAL OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES ACT CASES, MADURAI.

ORDER : The Court Made the following order :-

The petitioner / Accused No.1, who is facing trial in C.C.No.1019 of 2023, on the file of the Principal Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Madurai, for the alleged offence punishable under Sections 8(c)

r/w 20(b)(ii)(c) of the NDPS Act in connection with Crime No.129 of 2023 on the file

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of the respondent Police, seeks bail.

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2. The case of the prosecution is that on 27.03.2023, at about 06.30 hours, based on the secret information, the Sub Inspector of Police conducted vehicle checkup near garbage dump and at that time, the Sub Inspector of Police seized 25.500 Kgs of Ganja from the accused persons. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has nothing to do with the alleged offence. He would further submit that the petitioner is ready to abide by any conditions imposed by this Court. He would further submit that the contraband was recovered only from the other accused and not from the petitioner herein. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that totally 25.500 kgs of Ganja was recovered from the accused. He would further submit that the Ganja which was recovered from the petitioner is a commercial quantity. He would further submit that the petitioner is in joint possession of contraband with the other accused persons. Hence, he prays for dismissal of this petition.

5. Considering the facts and circumstances of the case and also considering the fact that the contraband which was recovered from the petitioner is a commercial quantity and also considering the fact that the petitioner is not satisfied the twin



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conditions as required under Section 37 of the NDPS Act, 1985, this Court is not

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inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition stands 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.

TO

1 THE JUDGE,

PRINCIPAL SPECIAL COURT FOR TRIAL OF NARCOTIC DRUGS AND
PSYCHOTROPIC SUBSTANCES ACT CASES, MADURAI.

2 THE INSPECTOR OF POLICE, USILAMPATTY TOWN POLICE STATION,
MADURAI.

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

ORDER IN

CRL OP(MD) No.181 of 2024

Date :08/01/2024

RS/DD/SAR-(19.01.2024) 3P 5C

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