



CRL OP(MD) No.229 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.229 of 2024

1 INDRA

2 RAMESH

... PETITIONERS/ ACCUSED RANK 13&14

Vs

THE INSPECTOR OF POLICE
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT,
CRIME NO.355/2023

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. GUNASEKARA PANDIYAN.K Advocate

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

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

PRAYER:

FOR BAIL IN CRIME NO.355/2023 ON THE FILE OF THE RESPONDENT
POLICE



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ORDER : The Court Made the following order :-

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The petitioners / Accused Nos.13 and 14, who were arrested and remanded to judicial custody on 04.11.2023 for the alleged offence punishable under Sections 8(C) r/w 20(b)(ii)(B), 25 and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 116 of I.P.C. altered as Sections 8(C) r/w 20(b)(ii)(C), 25 and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 116 of I.P.C. in Crime No.355 of 2023 on the file of the respondent Police, seek bail.

2. The case of the prosecution is that based on the secret information, the respondent Police intercepted the vehicle and seized 50 Kgs of Ganja from Accused. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have nothing to do with the alleged offence. He would further submit that the petitioners are ready to abide by any conditions imposed by this Court. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent



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Police would submit that totally 50 kgs of Ganja was recovered from the accused. He would further submit that the Ganja which was recovered from the petitioners is a commercial quantity. 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 petitioners is a commercial quantity and also considering the fact that the petitioners are not satisfied the twin conditions as required under Section 37 of the NDPS Act, 1985, this Court is not inclined to grant bail to the petitioners.

6. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
08/01/2024

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

TSG

TO

1.THE INSPECTOR OF POLICE
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT,



CRL OP(MD) No.229 of 2024

2 THE SUPERINTENDENT,
PALAYAMKOTTAI CENTRAL PRISON,
PALAYAMKOTTAI.

3 THE OFFICE IN CHARGE,
KOKKIRAKULAM WOMEN PRISON,
TIRUNELVELI.

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

+1 CC to M/s.K.GUNASEKARA PANDIYAN, Advocate (SR-298[I] dated
08/01/2024)

ORDER
IN
CRL OP(MD) No.229 of 2024
Date :08/01/2024

RK/VR (22/01/2024) 4P / 6C
Madurai Bench of Madras High Court is issuing certified copies in this format from
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