



CRL OP(MD) No.306 of 2024

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

Wednesday, the Tenth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.306 of 2024

JALARI GOVINDA

... PETITIONER/ ACCUSED 9

Vs

THE INSPECTOR OF POLICE
V.K.PURAM POLICE STATION,
TIRUNELVELI DISTRICT,
CRIME NO.376/2022

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.S.BALAJI 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 CC.NO.679/2023 ON THE FILE OF THE HONBLE PRINCIPAL SPECIAL COURT FOR EC AND NDPS ACT CASES, MADURAI IN CRIME NO.376/2022 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 17.03.2023 for the alleged offence under Sections 8(c) r/w. 20(b)(ii)(C) and 29(1) of



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NDPS Act, 1985 and 328 IPC in Crime No.376 of 2022 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that on 15.12.2022, the respondent Police found the co-accused with possession of 100 kgs of Ganja. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and he did not commit any offence as alleged by the prosecution. He would further submit that his name was not initially mentioned in the FIR and based on the confession statement of the accused No.5, he has been implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner along with the other accused persons purchased the ganja from Andhra Pradesh and sold the same to the students and the petitioner is having three previous cases which are similar in nature.

5. Considering the facts and circumstances of the case and the quantity of ganja involved in this case and the fact that the petitioner is having three previous cases which are similar in nature and that the petitioner has not satisfied the twin conditions as required under Section 37 of the NDPS Act, this Court is not inclined to grant anticipatory bail to the petitioner.



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

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sd/-
10/01/2024

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

SSB

TO

1 THE PRINCIPAL SPECIAL JUDGE
FOR EC AND NDPS ACT CASES, MADURAI

2 THE OFFICER INCHARGE,
DISTRICT JAIL, VISHAKHAPATNAM, ANDHRA PRADESH.

3 THE INSPECTOR OF POLICE
V.K.PURAM POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.306 of 2024
Date :10/01/2024

SA/DD/SAR. /29.01.2024/3P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.