



Crl.O.P.(MD).No.422 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.01.2024

PRESENT

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.422 of 2024

Nagalakshmi

... Petitioner/ Accused No.9

Vs.

The Inspector of Police,
Town West Police Station,
Dindigul District.
Crime No.568 /2022.

... Respondent/Complainant

For Petitioner : Mr.P.Vijayanand, Advocate
For Respondent : Mr.S.Ravi
Additional Public Prosecutor (Crl.side)

PETITION FOR BAIL UNDER SECTION 439 OF Cr.P.C.,

PRAYER : For bail in Crime No.568 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / A9, who was arrested on 30.12.2022 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 25, 29(1) of NDPS Act in Crime No.568 of 2022, on the file of the respondent police seeks bail.

2. The case of the prosecution is that on secret information, the police party namely the de-facto complainant along with his team of police officials, went to the house of one Suresh Kumar in search of the contraband at about 06.00 pm, on that



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day they found 2 two wheeler along six persons. The police informer identified the accused and later, the above said persons were apprehended. Among six persons, one person fled away from that place. Others were secured and on enquiry they revealed their name as Suresh Kumar, Devayani, Vignesh @ Vikee, PandiSelvam and Ajaykannan. The name of the escaped person was found as Muthu Irul. Search was made and they were found in possession of 215 kgs of Ganja worth about Rs.3,15,000/-. On further enquiry, they revealed that Muthu Irul purchased the contraband from some unknown persons in Andhara Pradesh. They were arrested and further processes were undertaken as per the rules and procedure. This petitioner was arrested and remanded to judicial custody. Finding her involvement in the course of investigation. She filed several applications before this court and that application came to be dismissed considering the gravity of the offence.

3. Crl.OP(MD)No.12965 of 2023 was filed by this petitioner stating that the contraband that was recovered from the house of the petitioner is only 16 kgs. According to her, no commercial quantity is involved. That contention was rejected on the ground that huge quantity was purchased from Andhras Pradesh, transporting the same to Tamil Nadu and thereafter, separating the total quantity and selling. So, it was found that finding that in the course of very same transaction only, 16 kgs was recovered from this petitioner. The contention that it will not come under



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the commercial quantity was rejected.

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4. Learned Additional Public Prosecutor submitted that final report is also filed in C.C.No.645 of 2023 and charges also framed.

5. In view of the submission of the learned Additional Public Prosecutor, the petitioner instead of filing repeated petitions before this Court for remedy, he can approach the trial Court.

6. With this direction, 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.

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To

1 THE INSPECTOR OF POLICE, TOWN WEST POLICE STATION,
DINDIGUL DISTRICT.

2 THE SUPERINTEDENT, CENTRAL PRISON FOR WOMEN, MADURAI.

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

ORDER IN
CRL OP(MD) No.422 of 2024
Date :29/01/2024

RS/GS/SAR-(09.02.2024) 3P 4C

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