



CRL OP(MD) No.420 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Thursday, the Eleventh day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.420 of 2024

PANDISELVI

... PETITIONER / ACCUSED No.5

Vs

THE INSPECTOR OF POLICE
BATLAGUNDU POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.142 OF 2023.

... RESPONDENT / COMPLAINANT

For Petitioner : M/s.G.JANANI, Advocate

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

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

PRAYER:

FOR BAIL IN CRIME NO.142 OF 2023 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused No.5, who was arrested and remanded to
judicial custody on 28.03.2023 for the alleged offence punishable under Sections 8(c)
r/w 20(b)(ii)(c), 29(1) and 25 of the NDPS Act, 1985 in Crime No.142 of 2023 on the
file of the respondent Police, seeks bail.



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2. The case of the prosecution is that based on the secret information, the respondent Police seized 22 Kgs of Ganja from the Accused. 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. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that totally 22 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 co-accused's Criminal Original Petition was already dismissed by this Court. He would further submit that the investigation is completed and charge sheet has also been filed before the concerned Court. 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 conditions as required under Section 37 of the NDPS Act, 1985, this Court is not inclined to grant bail to the petitioner



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6. Accordingly, the Criminal Original Petition stands dismissed.

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sd/-
11/01/2024

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

TSG
TO

- 1 THE INSPECTOR OF POLICE
BATLAGUNDU POLICE STATION,
DINDIGUL DISTRICT.
- 2 THE SUPERINTENDENT,
SPECIAL CENTRAL PRISON FOR WOMEN, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

CRL OP(MD) No.420 of 2024
Date :11/01/2024

SS/DD/SAR- /24/01/2024/3P/4C

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