



CRL OP(MD) No.620 of 2024

WEB COPY

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

Friday, the Twelfth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.620 of 2024

ABUBACKER SIDDIQUE

... PETITIONER/ ACCUSED NO.5

Vs

THE INSPECTOR OF POLICE
A.MUKKULAM POLICE STATION,
VIRUDHUNAGAR DISTRICT,
CRIME NO.19/2023

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.BANUMATHY Advocate

For Respondent : MR.B.NAMBISELVAN, Govt. Advocate (CrI. Side)

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

PRAYER:

FOR BAIL IN CRIME NO.19/2023 ON THE FILE OF THE RESPONDENT
POLICE

ORDER : The Court Made the following order :-

The petitioner/A5, who is facing trial for the offences punishable under
Sections 8(c), 20(b)(ii)(C), 25, 27A and 29(1) of NDPS Act, 1985, in C.C.No.262 of 2023



CRL OP(MD) No.620 of 2024

on the file of the learned Principal District Court, Pudukkottai, in Crime No.19 of 2023, on the file of the respondent police, seeks bail.

WEB COPY

2.The case of the prosecution is that on 17.02.2023 at about 08.00 a.m., the respondent police intercepted the petitioner and other accused and recovered 26.235kgs of Ganja from them. Hence the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case and he is in judicial custody since 17.02.2023 and hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the State would submit that the petitioner and other accused were found in possession of 26.235kgs of Ganja illegally. He would further submit that the the quantity of contraband involved in this case is a commercial quantity and one previous case is pending against the petitioner and he has not satisfied the twin conditions as required under Section 37 of the NDPS Act. Hence, he strongly opposed to grant bail to the petitioner.



CRL OP(MD) No.620 of 2024

WEB COPY

5. Heard the learned counsel on either side and perused the material records of the case.

6. Considering the facts that the quantity of contraband involved in this case is a commercial quantity and the petitioner is having one previous case and also considering the fact 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 bail to the petitioner.

7. In the result, this Criminal Original Petition is dismissed. However, the learned Principal District Court, Pudukkottai, is directed to complete the trial and dispose of the case in C.C.No.262 of 2023, as expeditiously as possible.

sd/-
12/01/2024

/ TRUE COPY /

/01/2024

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

SJI

TO

1. THE PRINCIPAL DISTRICT JUDGE, PUDUKKOTTAI,

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD) No.620 of 2024

2.THE SUPERINTEDENT,
CENTRAL JAIL,
TIRUCHIRAPPALLI.

3 THE INSPECTOR OF POLICE
A.MUKKULAM POLICE STATION,
VIRUDHUNAGAR DISTRICT,

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

+1 CC to M/s.A.BANUMATHY, Advocate (SR-693[I] dated 12/01/2024)

ORDER
IN
CRL OP(MD) No.620 of 2024
Date :12/01/2024

RK/VR (23/01/2024) 4P / 6C

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