



CRL OP(MD) No.2191 of 2024

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

Tuesday, the Thirteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2191 of 2024

RAJADURAI

... PETITIONER/ ACCUSED NO.2

Vs

THE SUB INSPECTOR OF POLICE
NANGUNERI POLICE STATION,
TIRUNELVELI - 627 108.
CRIME NO.355/2023

... RESPONDENT/COMPLAINANT

For Petitioner : MR.A.RAJAMOHAMED 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

ORDER : The Court Made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial
custody on 26.10.2023 for the alleged offence punishable under Sections 8(c) r/w 20
(b)(ii)(B), 25, 29(1) of the NDPS Act and 116 IPC altered as 8(c) r/w 20(b)(ii)(C), 25, 29



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(1) of the NDPS Act and 116 IPC in Crime No.355 of 2023, on the file of the respondent Police, seeks bail.

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

3. The learned counsel appearing for the petitioner would submit that the petitioner is ready to abide by any conditions imposed by this Court. He would further submit the petitioner along with the other accused were in joint possession of 8 kgs of Ganja and the other co-accused was in possession of 42 kgs of Ganja. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that totally 50 kgs of Ganja was recovered from the accused. He would further submit that five previous cases are pending against the petitioner, out of which, two cases are under IPC offence in nature and three cases are in other offence. Hence, he vehemently opposed for grant of bail to the petitioner herein.

5. Considering the facts and circumstances of the case and also considering the



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fact that the contraband which was recovered from the accused 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 and also considering the fact that five previous cases are pending against the petitioner, this Court is not inclined to grant bail to the petitioner

6. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
13/02/2024

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/02/2024
Sub-Assistant Registrar (CS- I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1.THE SUB INSPECTOR OF POLICE
NANGUNERI POLICE STATION,
TIRUNELVELI - 627 108.

2 THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.

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



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ORDER

IN

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Date :13/02/2024

RK/GS(16/02/2024) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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