



CRL OP(MD) No.1172 of 2024

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

Monday, the Twenty Ninth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1172 of 2024

SEYED UMAR SAHIB

... PETITIONER/1ST ACCUSED

Vs

THE UNION OF INDIA REP.BY,
THE INTELLIGENCE OFFICER,
NARCOTICS CONTROL BUREAU,
MADURAI SUB-ZONE,
MADURAI.

(F.NO.48/01/04/2022/MDU)

... RESPONDENT/COMPLAINANT

For Petitioner : MR.RAMNATH.B, Advocate

For Respondent : MR.C.ARUL VADIVEL @ SEKAR,
Special Public Prosecutor for NCB Cases

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

Prayer :

To enlarge the petitioner/accused on bail in C.C.No.794 of 2023 on the file of the Principal Special Court for Narcotic Drugs and Psychotropic Substances Act cases, Madurai.



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ORDER : The Court Made the following order :-

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The petitioner/Accused, who was arrested and remanded to judicial custody on 02.11.2022 for the alleged offences under Sections 8(c) r/w 20(c), 28, 29 of NDPS Act, 1985, in F.No.48/01/04/2022/MDU on the file of the respondent Police, seek bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 4.40 kgs of Hashish Oil. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not involve in any such allegations levelled in the F.I.R and he is no way connected with the alleged occurrence. Further, the petitioner is in custody for the past 420 days. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the Hashish oil seized from the petitioner is the commercial quantity, hence, he opposed for granting bail to the petitioner.



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5. Heard. Perused the materials available on record including the First
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Information Report.

6. Considering the facts and circumstances of this case and also considering the fact that the contraband seized from the petitioner is the commercial quantity and petitioner failed to fulfil the twin conditions as contemplated under Section 37 of the NDPS Act in order to satisfy the Court, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
29/01/2023

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

indu

TO

1.THE PRINCIPAL SPECIAL JUDGE FOR NARCOTIC DRUGS
AND PSYCHOTROPIC SUBSTANCES
ACT CASES, MADURAI.

2 THE INTELLIGENCE OFFICER,
UNION OF INDIA
NARCOTICS CONTROL BUREAU,
MADURAI SUB-ZONE, MADURAI.



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3. THE OFFICER IN CHARGE,
DISTRICT JAIL, NAGERCOIL.

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

ORDER
IN
CRL OP(MD) No.1172 of 2024
Date :29/01/2024

RK/GS (02/02/2024) 4P / 5C
Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023