



CRL OP(MD) No.1358 of 2024

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

Wednesday, the Thirty First day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1358 of 2024

SELVENTHIRAN

... PETITIONER / ACCUSED No.2

Vs

THE INSPECTOR OF POLICE
ELUMALAI POLICE STATION,
MADURAI DISTRICT.
(IN CRIME NO.87/2023)

... RESPONDENT / COMPLAINANT

For Petitioner : M/s.A.PRASANNA RAJADURAI, Advocate

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

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

PRAYER:

FOR BAIL IN CRIME NO. 87 OF 2023 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-

The petitioner / A2, who was arrested and remanded to judicial custody on
06.05.2023 for the offence punishable under Sections 8(c), 20(b)(ii)(C), 25 and 29(1) of
Narcotic Drugs & Psychotropic Substances Act, 1985, in Crime No.87 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 conducted raid and found 21 kgm of Ganja from the accused persons. Hence the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. He would further submit that this is the third bail petition. He would further submit that the petitioner is in custody from 06.05.2023. Hence, he prays to grant bail.

4.The learned Additional Public Prosecutor for the State would submit that the petitioner and the other accused were found in illegal possession of 21 kgm of Ganja, which is a commercial quantity and in this case, investigation is pending. He would further submit that the petitioner has not satisfied the twin conditions as required under Section 37 of the NDPS Act. Hence, he opposed to grant bail to the petitioner.

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

6.Considering the fact that the contraband involved in this case is a commercial quantity and 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.



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7. In the result, this Criminal Original Petition is dismissed.

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sd/-
31/01/2024

/ TRUE COPY /

/02/2024

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

DSS

TO

- 1 THE INSPECTOR OF POLICE
ELUMALAI POLICE STATION,
MADURAI DISTRICT.
- 2 THE OFFICER INCHARGE,
DISTRICT PRISON, THEKKAMPATTI, THENI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-1280[I] dated 31/01/2024)

ORDER
IN
CRL OP(MD) No.1358 of 2024
Date :31/01/2024

SS/GS/SAR- /05/02/2024/3P/5C

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