



CRL OP(MD) No.1848 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Seventh day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1848 of 2024

ASWIN @ ONANKUTTY

... PETITIONER / ACCUSED 4

Vs

THE INSPECTOR OF POLICE
VALLAM POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.578 OF 2023.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.KAVINPRASATH R
Advocate

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

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

PRAYER:- FOR BAIL IN CRIME NO.578 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioner, who was arrested and remanded to judicial custody on



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30.11.2023 for the offence punishable under Sections 8(c) r/w. 20(b)(ii)(A) and 22(c) of NDPS Act, 1985 in Crime No.578 of 2023 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that on 30.11.2023, the respondent Police had found the accused persons in possession of Diazepam powder and marijuana in polythene bags which were kept for sale. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and the petitioner has been falsely implicated in this case. He would further submit that no recovery is made from the petitioner and he is in judicial custody from 30.11.2023. Hence, he prays for grant of bail.

4.The learned Government Advocate (Crl.Side) would submit that the petitioner and the other accused persons were found in illegal possession of 700 grams of Ganja and 500 grams of Diazepam which is a commercial quantity. Hence, he opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the quantity of contraband seized from the accused persons, this Court is not inclined to grant anticipatory bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is dismissed.

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sd/-
07/02/2024

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

SSB
TO
1 THE INSPECTOR OF POLICE
VALLAM POLICE STATION,
THANJAVUR DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

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

+1 CC to M/s.R.KAVIN PRASATH, Advocate (SR-1583[I] dated 07/02/2024)

ORDER
IN
CRL OP(MD) No.1848 of 2024
Date :07/02/2024

SA/GS/SAR. /16.02.2024/3P/4C

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