



CRL OP(MD) No.2300 of 2024

WEB COPY

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2300 of 2024

JOYAL JOSE

... PETITIONER/ ACCUSED NO.2

Vs

THE INSPECTOR OF POLICE
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.
CR.NO.366/2023

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.KISHORE KUMAR.S, Advocate

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

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

PRAYER:

FOR BAIL IN CRIME NO.366/2023 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



CRL OP(MD) No.2300 of 2024

23.12.2023 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(A), 22(c) and 29(1) of Narcotic Drugs and Psychotropic Substance Act, 1985, in Crime No.366 of 2023, on the file of the respondent police, seeks, bail.

2.The case of the prosecution is that based on the secret information, on 23.12.2023, the respondent police intercepted the petitioner and other accused and seized 200 grams of Ganja and 10 LSD Stamp. Hence, the case.

3.The learned counsel for the petitioner would submit that A1 has possessed the said contraband and the petitioner has simply accompanied with A1 and except this allegation, no allegation was made against him and he is in judicial custody from 23.12.2023 and hence, he prays for bail.

4.The learned Additional Public Prosecutor would submit that though the seized Ganja was not a commercial quantity, the LSD stamp possessed by the petitioner is a commercial quantity. Hence, he strongly opposed to grant bail to the petitioner.



CRL OP(MD) No.2300 of 2024

WEB COPY

5.Considering the facts and circumstances of the case and also considering the fact that the LSD stamp possessed by the petitioner is a commercial quantity, this Court is not inclined to grant bail to the petitioner.

6.However, after the seizure procedure is over, the concerned Magistrate and the respondent Police are directed to comply with the guidelines enumerated under section 52(A) of NDPS Act and as per the guidelines issued by the Hon'ble Supreme Court of India in the case of Union of India Vs. Mohanlal and Another ((2016) 3 SCC 379).

7.In view of the above, this Criminal Original Petition is dismissed.

sd/-
14/02/2024

/ TRUE COPY /

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

SJI
TO

1 THE INSPECTOR OF POLICE
KODAIKANAL POLICE STATION, DINDIGUL DISTRICT.

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



CRL OP(MD) No.2300 of 2024

WEB COPY

- 2 THE OFFICER INCHARGE
CENTRAL PRISON, DINDIGUL DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.2300 of 2024
Date :14/02/2024

PKP/VR/SAR /21.02.2024/ 4P/ 4C

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