



CRL OP(MD) No.3043 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3043 of 2024

R.GOPALA KRISHNAN

... PETITIONER/ ACCUSED 3

Vs

THE INSPECTOR OF POLICE
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.8 OF 2023.

... RESPONDENT/COMPLAINANT

For Petitioner : MR.S.ANANDHAKUMAR Advocate

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

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

PRAYER : TO ENLARGE THE BAIL FOR THE PETITIONER IN CC.NO.889 OF 2023 ON THE FILE OF THE LEARNED PRINCIPAL SPECIAL COURT FOR NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES ACT CASES, MADURAI IN CR.NO.8 OF 2023 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who was arrested on 06.01.2023 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 22(c) and 29(1) of NDPS Act in Crime No.8 of 2023 on the file of the respondent police, seeks bail.



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2. It is the case of the prosecution that the petitioner is alleged to have found in possession of 1.100 kgms of Ganja and 100 gms of Magic Mushroom.

3. The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in this case and he has nothing to do with the alleged offence. Further, the contraband was recovered from the first accused only. He would further submit that the petitioner is in custody since 06.01.2023 and therefore, the petitioner may be granted bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the quantity involved in this case is a commercial quantity and he opposed for grant of bail to the petitioner. He would further submit that the trial is in progress.

5. Taking into consideration the nature and gravity of offence and the also considering the fact that the quantity of contraband involved in this case is a commercial quantity, this Court is not inclined to grant bail to the petitioner. 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).



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6. Hence, the bail petition is disposed of with a direction to the learned Additional Special Court for NDPS Act Cases, Madurai, to complete the trial within a period of six months from the date of receipt of a copy of this order.

sd/-
27/02/2024

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/03/2024

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

INDU

TO

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

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

3 THE OFFICER INCHARGE,
DISTRICT JAIL,
DINDIGUL DISTRICT.

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

ORDER IN
CRL OP(MD) No.3043 of 2024
Date :27/02/2024

RS/JGB/SAR-(21.03.2024) 3P 5C
Madurai Bench of Madras High Court is issuing
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