



CRL OP(MD) No.3264 of 2024

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

Friday, the First day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3264 of 2024

M.ESWARAN

... PETITIONER / ACCUSED No.6

Vs

THE INSPECTOR OF POLICE
NIB CID P.S,
THOOTHUKUDI DISTRICT.
CRIME NO. 14 OF 2022

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.JEGADEESH PANDIAN Advocate

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

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

PRAYER:

To grant bail for the Petitioner/Accused in Crime No.14/2022 in C.C.No. 41 of 2023 Principal District & Session Judge for EC & NDPS Act cases Madurai on the file of the respondent Police.

ORDER : The Court Made the following order :-

The petitioner/A6, who is facing trial for the offences punishable under

Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(i) of NDPS Act in C.C.No.41 of 2023 on the

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



CRL OP(MD) No.3264 of 2024

file of the learned Principal District and Sessions Judge for E.C. and NDPS Act Cases, Madurai in Crime No.14 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that based on the information received, the respondent police conducted an inspection at Thoothukudi to Madurai Main Road near Pudhur Pandiyapuram Check, Bharath Petrolyam, at that time, Eicher vehicle bearing Registration No.TN 84 M 4213 was coming and the same was stopped by the respondent police and search the vehicle. Thereafter, it was found that 8 white color gunny bags each 20kg of Ganja and one white color gunny bag 20kg of Ganja, totally 437kg of Ganja in the bag and the same was seized from A1 and based upon his confession statement, the petitioner and other accused were implicated in this case. Hence, the complaint.

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

4.It appears that this is the second application for bail and the earlier bail application filed by the petitioner in Crl.OP(MD)No.6350 of 2023 was dismissed by this Court on 17.04.2023 on the ground that the petitioner has not satisfied the twin conditions as required under Section 37 of the NDPS Act. Now, this application is filed by the petitioner without referring the change of circumstances to consider the

case.

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CRL OP(MD) No.3264 of 2024

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5. Considering the above facts and circumstances of the case and also considering the fact that there is no change in circumstances, since the dismissal of the earlier petition, this Court is not inclined to grant bail to the petitioner.

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

sd/-
01/03/2024

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/03/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO

- 1 THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, EC & NDPS ACT CASES, MADURAI.
- 2 THE INSPECTOR OF POLICE
NIB CID P.S, THOOTHUKUDI DISTRICT.
- 3 THE SUPERINTENDENT
CENTRAL JAIL, TIRUENLVELI
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.3264 of 2024
Date :01/03/2024

PKP/GS/SAR /07.03.2024/ 3P/ 5C
Madurai Bench of Madras High Court is issuing certified
copies in this format from 17/07/2023