



CRL OP(MD) No.4110 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4110 of 2024

N.VANITHA

... PETITIONER / ACCUSED No.9

Vs

THE INSPECTOR OF POLICE
PEW PUDUKKOTTAI POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO. 1058 OF 2023

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.MANIMARAN.NA Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO. 1058 OF 2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner / A9, who apprehends arrest at the hands of the respondent
Police for the offence punishable under Sections 8(c) r/w 20(b)(ii)(C) and 25 of the
NDPS Act, 1985, on the file of the respondent Police, seeks anticipatory bail.



CRL OP(MD) No.4110 of 2024

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2. The case of the prosecution is that the petitioner along with accused persons have illegally transported 100 Kgs of contraband (Ganja). Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he is no way connected with the alleged offence. He would further submit that no contraband was recovered from the petitioner and she was not present at the scene of occurrence. Hence, he prays for anticipatory bail.

4. Per contra, the learned Additional Public Prosecutor strongly objected this petition for grant of bail by stating that the petitioner is having seven previous cases, which are similar in nature.

5. It is seen that the contraband recovered from the accused persons is a commercial quantity and moreover, the petitioner has not satisfied the twin conditions as required under Section 37 of the NDPS Act.

6. In view of the above, this Court is not inclined to grant bail to the petitioner.

However, after the seizure procedure is over, the concerned Magistrate and the



CRL OP(MD) No.4110 of 2024

WEB COPY

respondent Police are directed to comply with the guidelines enumerated under section 52(A) of the 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 the result, this Criminal Original Petition is dismissed.

sd/-
15/03/2024

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/03/2024

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

TSG
TO

- 1 THE INSPECTOR OF POLICE
PEW PUDUKKOTTAI POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.4110 of 2024
Date :15/03/2024

SS/VR/SAR- /21/03/2024/3P/3C

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