



CRL OP(MD) No.4283 of 2024

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

Tuesday, the Nineteenth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4283 of 2024

SIBANIYA

... PETITIONER/ACCUSED NO.6

Vs

THE INSPECTOR OF POLICE
PEW-THOOTHUKUDI POLICE STATION,
THOOTHUKUDI DISTRICT.
CR.NO.584/2023

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.JEYAKUMARAN, Advocate

For Respondent : MR.S.MANIKANDAN, Government Advocate (Crl.Side)

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

PRAYER : FOR BAIL IN CRIME NO. 584/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A6, who was arrested and remanded to judicial custody on 29.08.2023 for the alleged offences punishable under Sections 8(c), 20(b)(ii)(c), 25 and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.584 of 2023 on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that the petitioner along with other accused have illegally transported 228 kgs of Ganja. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and though she was available at the scene of the occurrence place, she has no knowledge about the contraband transported in the vehicle and no previous case is pending against her and the earlier bail application filed by the petitioner was dismissed as withdrawn. The petitioner is in judicial custody since 29.08.2023. Hence, he prays for bail.

4.The learned Government Advocate (Crl. side) would submit that there are 16 accused involved in this case and the petitioner is arrayed as A6 and the respondent police recovered 22 kgs of Ganja from the petitioner's vehicle, which is a commercial quantity and the petitioner has not satisfied the twin conditions as required under Section 37 of the NDPS Act. Hence, he vehemently opposed the grant of bail to the petitioner.

5.Considering the above facts and circumstances of the case and also considering the fact that the quantity of contraband involved in this case is a commercial quantity and the petitioner has not satisfied the twin conditions as required under Section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioner.



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

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sd/-
19/03/2024

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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 INSPECTOR OF POLICE, PEW-THOOTHUKUDI POLICE STATION,
THOOTHUKUDI DISTRICT.

2 THE SUPERINTENDENT, SPECIAL PRISON FOR WOMEN, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.4283 of 2024

Date :19/03/2024

RS/GS/SAR-(22.03.2024) 3P 4C

Madurai Bench of Madras High Court is issuing
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