



CRL OP(MD). No.6479 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6479 of 2024

Eswaran

... Petitioner/ Accused 5

Vs

The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
(Crime No.35/2023).

... Respondent/ Complainant

For Petitioner : Mr.R.Venkatesan,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioner on bail in C.C.No.808 of 2023, pending on the file of Principal Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Madurai in Crime No.35 of 2023 on the file of the Kadamalaikundu Police Station, Theni.



CRL OP(MD). No.6479 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner is an accused in C.C.No.808 of 2023 on the file of the Principal Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Madurai, has approached this Court seeking anticipatory bail. The said case was registered for the offence under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of NDPS Act in Crime No.35 of 2023, on the file of the respondent police.

2.The case of the prosecution is that on 24.01.2023 at about 03.00 a.m., based on the secret information, the respondent police intercepted a Bolero Pickup Vehicle bearing Registration No.TN-55-CZ-1518 and recovered 61 kgs of Ganja from the vehicle and also arrested one Raja and Nallamalai. Based on their confession, the petitioner was arrayed as Accused No.5 in this case. Hence, the case.

3.The learned counsel for the petitioner submits that the petitioner is an innocent. Apart from the confession statement, there is no other material as against this petitioner and the alleged contraband was recovered from Accused Nos.1 and 2 on 24.01.2023. He further submits that the investigation has been completed, the final report has already been filed and the same is taken on file in C.C.No.808 of 2023.



CRL OP(MD). No.6479 of 2024

WEB COPY

4.The learned Additional Public Prosecutor submits that the petitioner had frequent contact with A2 and that too for 222 times, apart from that the petitioner was involved in a similar offence, he was found guilty and convicted for the offence under the NDPS Act.

5.Considering the antecedents of the petitioner and the frequency of contact with A2 from whom the contraband has been recovered, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
03/06/2024

/ TRUE COPY /

/06/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

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



CRL OP(MD). No.6479 of 2024

2.THE INSPECTOR OF POLICE,
KADAMALAIKUNDU POLICE STATION,
THENI DISTRICT.

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

4.THE OFFICER IN CHARGE,
SUB-JAIL, THENI.

ORDER
IN
CRL OP(MD) No.6479 of 2024
Date :03/06/2024

RK/JGB (07/06/2024) 4P / 5C

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