



CRL OP(MD). No.8653 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8653 of 2024

Sathish Kumar

... Petitioner/ Accused-2

Vs

The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
(Crime No.625/2022)

... Respondent/Complainant

For Petitioner : Mr.Selvam, Advocate
for Mr.G.Nandagopal, Advocate
For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.625/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police in connection with Crime No.625 of 2022 for the offence under Sections 8(c), 20(b),(ii)(c), 29(1) and 25 of NDPS Act, 1985, has filed this petition.



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2.The case of the prosecution is that the respondent police intercepted the accused 1 and 2 along with other accused and also recovered 440kgs of ganja from them. The petitioner is the driver of a car bearing Registration No.TN 01 BF 7616, where, 220kgs of Ganja has been recovered.

3.The learned Senior counsel appearing for the petitioner submits that the petitioner is only a driver and he does not have any knowledge about the contraband, which has been transported in the vehicle. The quantity involved in this case is 440kgs of Ganja and the petitioner was travelling in the vehicle at the time of recovery.

4.The learned Additional Public Prosecutor has raised serious objections and submits that the respondent police intercepted two cars bearing Registration No.TN 07 BF 7616 (Innova car) and another car bearing Registration No.TN 22 DF 3510 (Mahindra XUV 500) and on search, they found 220 kgs of ganja in each cars (each contains 10 white color gunny bags). He further submits that the respondent police arrested A1 to A3 along with the contraband weighing 440kgs of Ganja and one of the contraband seized car bearing Registration No.TN 07 BF 7616 was driven by the petitioner. During the course of investigation, they came to know that A5 and A6 changed the number plate of the innova car. The original number of the innova car is TN 23 AJ 7497 and the duplicate number affixed in the car was TN 07 BF 7616 at the



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time of arranging the cars. Further, the CDR report is available to prove the petitioner's nexus with the other accused and the same is extracted hereunder:

“A2 contacted A1 nearly 53 time, with A4 nearly 19 times, with A6 nearly 41 times during the relevant period of the said crime.”

He further submits that this is the petitioner's fourth application for bail and the earlier applications in Crl.O.P.(MD)Nos.23450 and 18012 of 2023 and 2280 and 5840 of 2024, were dismissed by this Court on 10.01.2024, 21.11.2023, 14.02.2024 and 16.04.2024.

5.Considering the specific objections submitted by the learned Additional Public Prosecutor and since there is no change in circumstances as on date, this criminal original petition is dismissed.

sd/-
20/06/2024

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/07/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO

1 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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



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

ORDER
IN

CRL OP(MD) No.8653 of 2024

Date :20/06/2024

RS/GS/SAR-(01.07.2024) 4P 4C
Madurai Bench of Madras High Court is issuing
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