



CRL OP(MD)No.10223 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 10.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.10223 of 2024

Sivaprakash

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
NIB-CID Police Station,
Madurai District.
Crime No.2 of 2024

... Respondent/Complainant

For Petitioner : Mr.M.Chandra Sekaran, Advocate
For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.2 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.2 of 2024 for the offence under Sections 8(c), 20(b)(ii)(c), 25, 29(1) NDPS Act, 1985 and remanded him into judicial custody on 15.01.2024. Therefore, the petitioner has filed this petition seeking bail.

2.The case of the prosecution is that the petitioner and other accused persons



CRL OP(MD)No.10223 of 2024

were found in illegal possession of 75 kgs (25 kgs in three white gunny bags) of ganja.

WEB COPY

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 15.01.2024.

4.The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the petitioner has been arrested with the contraband weighing 75 kgs (25 kgs in three white gunny bags) which is commercial quantity.

5.Considering the nature of offence and considering the fact that the petitioner failed to satisfy the twin conditions as contemplated under Section 37 NDPS Act, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-

10/07/2024

/ TRUE COPY /

/07/2024

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

gns
TO

1 THE INSPECTOR OF POLICE, NIB-CID POLICE STATION, MADURAI DISTRICT.

2 THE SUPERINTEDENT, CENTRAL PRISON, MADURAI, MADURAI DISTRICT.



CRL OP(MD)No.10223 of 2024

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

ORDER
IN

CRL OP(MD) No.10223 of 2024
Date :10/07/2024

RS/JGB/SAR-(18.07.2024) 3P 4C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023