



CRL OP(MD). No.14840 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14840 of 2024

Nallamalai,

... Petitioner/ Accused-2

Vs

**The State of Tamil Nadu,
Rep. By, the Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
(Crime No.35/2023).**

... Respondent/ Complainant

For Petitioner : M/s.Jayaprakash.S, Advocate.

**For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor**

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

**To enlarge the petitioner on bail i C.C.No.808 of 2023, pending on th 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 respondent Police.

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CRL OP(MD). No.14840 of 2024

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 24.01.2023 for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(C), 25 and 29 (1) of NDPS Act in Crime No.808 of 2023 on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

3. Considered the nature of allegations in this case that totally 60kgs of ganja has been recovered from A1 and A2 and the petitioner herein is A2 and the investigation is completed and charge sheeted and the case is pending in PRC.No.808 of 2023 and the case is at the stage of framing of charges and the earlier bail application filed by the petitioner is also dismissed. The learned Counsel for the petitioner would rely upon the order of this Court, dated 22/4/2024 made in CrI.O.P (MD).No.4695 of 2024 whereby the 4th accused was granted bail. Perusal of paragraph No.5 of the said order, it is clearly mentioned that the recovery has been made only from A1 and A2 and therefore, the A4 was granted bail. In this case, petitioner is A2, from whom the Recovery is made. In view thereof, I do not find any material so as to pass the muster as per Section 37 of the NDPS Act. Since the case is



CRL OP(MD). No.14840 of 2024

now posted for framing of charges, I am not inclined to enlarge the petitioner on bail.

4. Accordingly, this Criminal Original Petition is dismissed.

sd/-

05/09/2024

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/ 09 / 2024

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

TRP

TO

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

2 THE SUPERINTENDENT
CENTRAL PRISION, MADURAI.

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

ORDER

IN

CRL OP(MD) No.14840 of 2024

Date :05/09/2024

PSP/ SG /SAR /25.09.2024/ 3P/ 4C

Madurai Bench of Madras High Court is issuing certified
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