



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17729 of 2024

Prabu

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep By, The Inspector of Police,
PEW Madurai City P.S.,
Madurai District.

Cr.No.706 of 2024..

... Respondent/ Complainant

For Petitioner : M/s.Somasundarapandiyarajan.N.,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

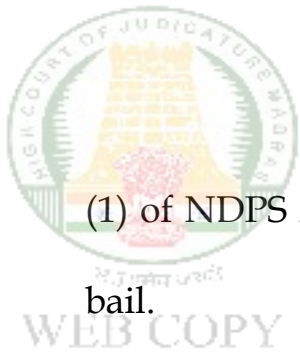
C-32B. For Bail in Crime No. 706 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody

on 13.06.2024 for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(C) and 29

<https://www.mhc.tn.gov.in/judis>



(1) of NDPS Act in crime No. 706 of 2024 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. The learned counsel appearing for the petitioner would submit that only 4.7 kilograms of Ganja was recovered from this petitioner and the rest of the quantity is recovered only from 2nd accused, who escaped from the scene of occurrence. This apart as on date, no other case is also pending against the petitioner and therefore, the petitioner should be enlarged on bail.

4. Per contra, the learned Additional Public prosecutor would submit that the petitioner only confessed and identified A2 and which led to the recovery from one A2 and he ran away from the scene. He would submit that the occurrence happened only on 12/6/2024 and still the investigation is pending and once the investigation is completed, charge sheet will be filed and between the petitioner and the A2, there are other materials in the form of CDR also.

5. Considering the overall facts and circumstances of the case that the total contraband recovered in this case is 32.89 kilograms of Ganja. At this stage, the petitioner's argument this is not a commercial quantity cannot be considered by this court as the transaction all to be considered together. Secondly investigation itself is



not over and when the investigation is pending and the investigating authorities are collecting further materials at this stage, the petitioner cannot be enlarged on bail.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
21/10/2024

/ TRUE COPY /

/ /2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The State of Tamilnadu,
Rep By, The Inspector of Police,
Pew Madurai City P.S.,
Madurai District.
2. The Superintendent,
Central Prison, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD) No.17729 of 2024
Date :21/10/2024

KVL/14.11.2024 3P/4C

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