



CRL OP(MD) No.18040 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Second day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.18040 of 2023

S.SURESH

... PETITIONER/ACCUSED 1

Vs

THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
CRIME NO.112 OF 2023.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.MANIMARAN.NA. Advocate

For Respondent : Mr.B.NAMBISELVAN, Additional Public Prosecutor

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

PRAYER:- FOR BAIL IN CRIME NO.112 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on
12.03.2023 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) and 25 of
NDPS Act in Crime No.112 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused



CRL OP(MD) No.18040 of 2023

were found in illegal possession of 24kgs of Ganja. Hence, the case.

WEB COPY

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and the petitioner is in judicial custody from 12.03.2023. Hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor for the State would submit that this is the petitioner's second application for bail and the earlier application for bail in CrI.O.P.(MD)No.8912 of 2023 was dismissed as withdrawn on 16.06.2023. He would further submit that the petitioner has not satisfied the twin conditions as required under Section 37 of the NDPS Act. Hence, he opposed to grant bail to the petitioner.

5.Considering the above facts and circumstances of the case and also considering the fact that there is no change in circumstances, since the dismissal of the earlier petition and the petitioner has not satisfied the twin conditions as required under Section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioner.

6.In the result, this Criminal Original Petition is dismissed.

sd/-
02/01/2024

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD) No.18040 of 2023

SJI
TO
WEB COPY

1 THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

ORDER
IN
CRL OP(MD) No.18040 of 2023
Date :02/01/2024

SA/DD/SAR. /09.01.2024/3P/4C

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