



CRL OP(MD) No.18361 of 2023

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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.18361 of 2023

MANIKANDAN

... PETITIONER/ACCUSED NO.4

Vs

THE INSPECTOR OF POLICE
S.S.COLONY POLICE STATION,
MADURAI DISTRICT.
CRIME NO.329/2023.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.CHANDRA SEKARAN, Advocate

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

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

PRAYER : FOR BAIL IN CRIME NO.329/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody, on
10.03.2023 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 29(1) and
25 of NDPS Act, 1985, in Crime No.329 of 2023 on the file of the respondent police,
seeks bail.



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2.The case of the prosecution is that on 10.03.2023 at about 08.30 a.m., based on the secret information, the respondent police conducted raid at Kochadai Main Road, Madurai. On seeing the police party, all the accused were attempted to run away from that place. The respondent police nabbed the petitioner along with other accused and on search, they found that they were in joint possession of 23kgs of Ganja. Hence the case.

3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and based on the confession statement of the co-accused, the petitioner was implicated in this case and he is in judicial custody since 10.03.2023. Hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor for the State would submit that the petitioner and other accused were in joint possession of contraband weighing 23kgs of Ganja, which is a commercial quantity. 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.Heard the learned counsel on either side.

6.Considering the above facts and circumstances of the case and also considering the fact that the contraband involved in this case is a commercial quantity and the petitioner has not satisfied the twin conditions as required under



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Section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioner.

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

sd/-

02/01/2024

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/01/2024

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

SJI

TO

1 THE INSPECTOR OF POLICE, S.S.COLONY POLICE STATION,
MADURAI DISTRICT.

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

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

ORDER
IN

CRL OP(MD) No.18361 of 2023

Date :02/01/2024

RS/DD/SAR-(08.01.2024) 3P 4C

Madurai Bench of Madras High Court is issuing
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