



CRL OP(MD) Nos.18313 and 18502 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) Nos.18313 and 18502 of 2023

PRASATH

... PETITIONER/3rd ACCUSED
IN CRL.OP(MD).18313/2023

G.SURULA GEETHA

... PETITIONER/ACCUSED 5
IN CRL.OP(MD).18502/2023

Vs

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

... RESPONDENT/COMPLAINANT
IN BOTH PETITIONS

For Petitioner : M/S.MUNIYANDI.S Advocate
(CRL.OP(MD).18313/2023)

For Petitioner : Mr.NA.MANIMARAN, Advocate
(CRL.OP(MD).18502/2023)

For Respondent : Mr.B.NAMBISELVAN, Additional Public Prosecutor
(IN BOTH PETITIONS)

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



CRL OP(MD) Nos.18313 and 18502 of 2023

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

ORDER : The Court Made the following order :-

The petitioners/A3 and A5, who were arrested and remanded to judicial custody on 12.03.2023 (A3) and 18.03.2023 (A5) 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, seek bail.

2.The case of the prosecution is that the petitioners along with other accused were found in illegal possession of 24kgs of Ganja. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case and the petitioners are in judicial custody from 12.03.2023 and 18.03.2023. Hence, he prays for grant bail to the petitioners.

4.The learned Additional Public Prosecutor for the State would submit that the petitioners were found in illegal possession of 24 kgs of Ganja, which is a commercial quantity. He would further submit that the petitioners have not satisfied the twin conditions as required under Section 37 of the NDPS Act. Hence, he opposed to grant bail to the petitioners.

5.Considering the fact that the quantity involved in this case is commercial



CRL OP(MD) Nos.18313 and 18502 of 2023

quantity and also considering the fact that the petitioners have not satisfied the twin conditions as required under Section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioners.

6.In the result, these Criminal Original Petitions are 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.

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

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3 THE OFFICER INCHARGE,
FEMALE PRISON, MADURAI.

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

ORDER
IN
CRL OP(MD) No.18313 of 2023
Date :02/01/2024

SA/DD/SAR. /09.01.2024/3P/5C

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