



CRL OP(MD) No.18486 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.18486 of 2023

THIRUNAVUKARASU

... PETITIONER/1ST ACCUSED

Vs

THE INSPECTOR OF POLICE
ELUMALAI POLICE STATION,
MADURAI DISTRICT.
CRIME NO.87/2023.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI, Advocate

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

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

PRAYER : FOR BAIL IN CRIME NO.87/2023 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 06.05.2023 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29 (1) of NDPS Act in Crime No.87 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 05.05.2023, when the respondent police conducted ride at Kodangipatti, the accused persons came in two wheeler. The police stopped them and the accused persons tried to escape from the scene of occurrence.



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However, the police party caught hold them and seized three bags containing 11kgs, 6kgs and 4kgs of Ganja respectively and totally 21 kgs of Ganja recovered. Hence the case.

3.Heard the learned counsel on either side and perused the material records of the case.

4.It appears that this is the second application for bail and the earlier bail application filed by the petitioner in Crl.OP(MD)No.11088 of 2023 was dismissed by this Court on 21.06.2023 on the ground that the quantity involved in this case was a commercial quantity and the petitioner has not satisfied the twin conditions as required under Section 37 of the NDPS Act. Now, this application is filed by the petitioner without referring the change of circumstances to consider the case.

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, 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

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



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TO

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1 THE INSPECTOR OF POLICE, ELUMALAI 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.18486 of 2023

Date :02/01/2024

PKP/VR/SAR-(08.01.2024) 3P 4C

Madurai Bench of Madras High Court is issuing
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