



CRL OP(MD) No.18689 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.18689 of 2023

PANDI

... PETITIONER / ACCUSED No.1

Vs

**THE INSPECTOR OF POLICE
SELLUR POLICE STATION,
MADURAI.
CR.NO.705/2022,**

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.SENTHIL KUMARAI AH J Advocate

**For Respondent : MR.RMS.SETHURAMAN,
Additional Public Prosecutor**

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

PRAYER:

**TO ENLARGE THE PETITIONER ON BAIL IN CONNECTION WITH THE
CASE IN C.C.NO.83/2023 PENDING ON THE FILE OF LEARNED SPECIAL
COURT FOR EC AND NDPS ACT CASES MADURAI.**

ORDER : The Court Made the following order :-

The petitioner/A1, who is facing trial for the offences punishable under



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Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, Section 328 of IPC, Sections 6 and 24(1) of Cigarette and Other Tobacco Products Act, 2003 and Section 77 of the Juvenile Justice Care and Protection of Children Act, 2015, in C.C.No.83 of 2023 on the file of the learned Special Court for EC and NDPS Act Cases, Madurai, in Crime No.705 of 2022, on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 27.07.2022 at about 16.00 hours, based on the secret information, the respondent police went to the petitioner's house, at that time, the petitioner along with other accused person attempted to run away from the place. The respondent police caught hold the petitioner along with other accused and conducted the search, it was found that they were in illegal possession of 23.600kgs of Ganja and other Tobacco Products. Hence, this 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.8918 of 2023 was dismissed by

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



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this Court on 16.06.2023. Now, the application is filed by the petitioner without referring the change of circumstances to consider the case.

5.Considering the facts that the quantity involved in this case is a commercial quantity and the petitioner has not satisfied the twin conditions as required under Section 37 of the NDPS Act 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.

SJI

TO

1 THE JUDGE,
SPECIAL COURT UNDER EC & NDPS ACT CASES, MADURAI.

2 THE INSPECTOR OF POLICE
SELLUR POLICE STATION, CR.NO.705/2022,
MADURAI.



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- 3 THE OFFICER INCHARGE
DISTRICT PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.18689 of 2023
Date :02/01/2024

PKP/DD/SAR- /09.01.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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