



CRL OP(MD) No.18896 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.18896 of 2023

B.PETCHIYAMMAL

... PETITIONER/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
ELUMALAI POLICE STATION,
MADURAI DISTRICT.
CR NO.251/2022.

... RESPONDENT/COMPLAINANT

For Petitioner :MR. N.MANI MARAN Advocate

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

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

Prayer :

To release the petitioners/Accused No.1 bail in Crime No.251/2022 in CC No.427/2023 II Additional Special Court for E.C and NDPS Act Cases, Madurai and thus render justice.

ORDER : The Court Made the following order :-

The petitioner/A1, who is facing trial for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) and 29(i) of NDPS Act in C.C.No.427 of 2023 on the file of the II Additional Special Court for EC and NDPS Act Cases, Madurai in Crime



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No.251 of 2022, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that on 26.12.2022 at 04.45 hours, based on the secret information, the respondent police conducted raid at Manuthu near Muniyandi Kovil and arrested the accused and seized 22kgs of Ganja from the petitioner and other accused. 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 she is innocent and she is in judicial custody since 26.12.2022. Hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor for the State would submit that the investigation has been completed and the charge sheet has already been filed before the concerned Court. He would further submit 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. Hence, he vehemently opposed to grant bail to the petitioner.

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

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



the case.
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6.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 the investigation has been completed and the charge sheet has already been filed before the concerned Court, this Court is not inclined to grant bail to the petitioner.

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

sd/-
02/01/2024

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

SJI

TO

1. THE II ADDITIONAL SPECIAL COURT FOR E.C AND NDPS ACT CASES,
MADURAI
- 2.THE INSPECTOR OF POLICE
ELUMALAI POLICE STATION,
MADURAI DISTRICT.



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3.THE SUPERINTENDENT
CENTRAL PRISON,
MADURAI

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

ORDER
IN
CRL OP(MD) No.18896 of 2023
Date :02/01/2024

RK/DD (09/01/2024) 4P /5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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