



CRL OP(MD) No.19153 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) No.19153 of 2023

P.RAMU

... PETITIONER/ ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
NIB CID,
DINDIGUL DISTRICT.
CRIME NO.09 OF 2022

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.MANIMARAN.NA Advocate

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

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

Prayer :

To enlarge the petitioner on bail in connection with Crime no.09 of 2022 in C.C.No.26/2023 II Additional District and Sessions Judge, For EC and NDPS, Madurai on the file of the respondent Police.

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) of NDPS Act in C.C.No.26 of 2023 on the file of the learned II Additional District and Sessions Judge for E.C. & NDPS Act Cases, Madurai in Crime No.09 of 2022 on the file of the respondent police, seeks bail.



CRL OP(MD) No.19153 of 2023

2. The case of the prosecution is that on 17.07.2022, based on the secret information, the respondent police recovered 20.500kgs 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 he is innocent and he is in judicial custody since 18.07.2022. Hence, he prays for grant bail to the petitioner.

4. The learned Additional Public Prosecutor for the State would submit that this is the petitioner's second application for bail and the earlier application for bail in Crl.O.P.(MD)No.8898 of 2023 was dismissed as withdrawn on 15.06.2023. 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 opposed to grant bail to the petitioner.

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 and 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, this Court is not inclined to grant bail to the petitioner.



CRL OP(MD) No.19153 of 2023

WEB COPY

6.In the result, this Criminal Original Petition is 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.

sjj

TO

1.THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE,
FOR EC AND NDPS, MADURAI

2 THE INSPECTOR OF POLICE
NIB CID,
DINDIGUL DISTRICT.

3.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

ORDER
IN

CRL OP(MD) No.19153 of 2023

Date :02/01/2024

RK/DD (09/01/2024) 3P / 5C

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