



CRL OP(MD) No.20048 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Third day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.20048 of 2023

KARUPPANAN

... PETITIONER / ACCUSED No.1

Vs

THE INSPECTOR OF POLICE
NIBCID RAMANAD POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.9 OF 2023.

... RESPONDENT / COMPLAINANT

For Petitioner : MR.J.JEYAKUMARAN, Advocate for
MR.R.BABU JAGANATH, Advocate

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

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

Prayer:

FOR BAIL IN CR.NO.09 OF 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

01.10.2023 for the offence punishable under Section 8(c), 22(c) and 25 of NDPS Act,
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1985 in Crime No.09 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 860 grams of Methamphetamine. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he is in judicial custody since 01.10.2023. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner and other accused were found in joint possession of 860 grams of methamphetamine. He would further submit that since the quantity of contraband involved in this case is a commercial quantity, the permissible quantity is only 2 grams as per Serial No.159 of the NDPS Act and hence, 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 the case.

6.Considering the above facts and circumstances of the case and also considering the facts that the quantity of contraband involved in this case is a commercial quantity and the petitioner has not satisfied the twin conditions as



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required under Section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioner.

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

sd/-
03/01/2024

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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 INSPECTOR OF POLICE
NIBCID RAMANAD POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 2 THE OFFICER INCHARGE
DISTRICT JAIL, PUDUKKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.20048 of 2023
Date :03/01/2024

PKP/JGB/SAR /24.01.2024/ 3P/4C

Madurai Bench of Madras High Court is issuing certified
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