



CRL OP(MD) No.20045 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.20045 of 2023

JOSEPH CANUTE SRIPALAN PEERIS ... PETITIONER / 3rd ACCUSED

Vs

THE INSPECTOR OF POLICE
PEW THOOTHUKUDI POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO. 584 OF 2023

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.SWARNAM J. RAJAGOPALAN Advocate

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

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

PRAYER:

FOR BAIL IN CRIME NO. 584 OF 2023 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on
29.08.2023 for the offence punishable under Section 8(c) r/w. Sections 20(b)(ii)(c), 25
and 29(1) of NDPS Act, 1985 in Crime No.584 of 2023 on the file of the respondent
police, seeks bail.



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2.The case of the prosecution is that based on the secrete information received, on 28.08.2023, the respondent police had intercepted a Innova Cystra car bearing Reg.No.TN-07-CK-2123 and the Innova car bearing Reg.No.TN-22-CH-3280 and a Bajaj Pulsar bike bearing registration No.TN-69-AM-9690 at Madurai to Thoothukudi Highways, wherein, all the accused in this case have travelled. Further, in these vehicles, 12 numbers of white color bags which contains 228 kilograms of ganja were found. 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. He would further submit that he was not aware of the possession of ganja in the cars and no recovery was made from the petitioner. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that 228 kilo grams of Ganja has been recovered from the accused persons and it is a commercial quantity. Hence, he strongly opposed to grant bail to the petitioner.

5. Admittedly, the petitioner was arrested on 29.08.2023 by the respondent Police at the scene of occurrence and the seized contraband is the commercial quantity. The petitioner has not satisfied the twin conditions as required under



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Section 37 of the NDPS Act. Considering the facts and circumstances of the case, this

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Court is not inclined to grant bail to the petitioner.

6. 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.

SSB

TO

1 THE INSPECTOR OF POLICE
PEW THOOTHUKUDI POLICE STATION,
THOOTHUKUDI 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.20045 of 2023

Date :03/01/2024

SS/DD/SAR- /23/01/2024/3P/4C

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