



CRL OP(MD) No.20782 of 2023

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

Tuesday, the Ninth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.20782 of 2023

TAMATAPU KOTESWARARAO @ KOTTI @ KOTEESWARAO,
... PETITIONER/ A7

Vs

THE INSPECTOR OF POLICE
V.K.PURAM POLICE STATION,
TIRUNELVELI DISTRICT
(CRIME NO.376 OF 2022)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.A.JOSEPH JERRY 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 the Crime No.376/2022 on the file of the Respondent in C.C.No.679/2023 on the file of the learned Principal Special Court for trial of Narcotic Drugs and psychotropic Substance Act Cases, Madurai.

ORDER : The Court Made the following order :-

The petitioner / Accused No.7, who is facing trial for the alleged offence punishable under Sections 8(C) r/w 20(b)(ii)(C), 25, 29(1), 27(A) of the NDPS Act,



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1985 and Section 328 of I.P.C. in C.C.No.679 of 2023, on the file of the learned Principal Special Judge for trial of Narcotic Drugs and Psychotropic Substances Act Cases, Madurai in connection with Crime No.376 of 2022 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that based on the secret information, the respondent Police intercepted the vehicle and seized 100 Kgs of Ganja from Accused. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has nothing to do with the alleged offence. He would further submit that the petitioner is ready to abide by any conditions imposed by this Court. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that totally 100 kgs of Ganja was recovered from the accused. He would further submit that there are eight previous cases are pending against the petitioner. He would further submit that the Ganja which was recovered from the petitioner is a commercial quantity. Hence, he prays for dismissal of this petition.

5. Considering the facts and circumstances of the case and also considering the fact that the contraband which was recovered from the petitioner is a commercial quantity and also considering the fact that the petitioner is not satisfied



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the twin conditions as required under Section 37 of the NDPS Act, 1985, this Court is

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not inclined to grant anticipatory bail to the petitioner

6. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
09/01/2024

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

TSG

TO

1 THE PRINCIPAL SPECIAL JUDGE
FOR TRIAL OF NARCOTIC DRUGS AND
PSYCHOTROPIC SUBSTANCE ACT CASES,
MADURAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

3 THE INSPECTOR OF POLICE
V.K.PURAM POLICE STATION,
TIRUNELVELI DISTRICT

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

ORDER IN
CRL OP(MD) No.20782 of 2023
Date :09/01/2024

SA/VR/SAR. /19.01.2024/3P/5C

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