



Crl.O.P.(MD) No.20660 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2024

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) Nos.20660 and 21793 of 2024

Crl.O.P.(MD) No.20660 of 2024

Adari Madhu @ Rajasekarareddy

... Petitioner/ Accused No. 4

Vs.

State rep. by
The Inspector of Police,
Cumbum North Police Station,
Theni District.
(Crime No.244 of 2024)

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to enlarge the petitioner/ A4 on bail in Crime No.244 of 2024 on the file of the respondent police.

For Petitioner : Mr.P.Balamurugan, Advocate

For Respondent : Mr.S.Ravi
Additional Public Prosecutor

Crl.O.P.(MD) No.21793 of 2024

T.Pandithurai

... Petitioner/ Accused No. 1

Vs.



Crl.O.P.(MD) No.20660 of 2024

State rep. By The Inspector of Police,
Cumbum North Police Station,
Theni District.
(Crime No.244 of 2024)

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to enlarge the petitioner/ A1 on bail in Crime No.244 of 2024 on the file of the respondent police.

For Petitioner : Mr.NA.Manimaran

For Respondent : Mr.S.Ravi
Additional Public Prosecutor

COMMON ORDER

The petitioners/ A1 and A4, who were arrested and remanded to judicial custody for the offence under Sections 8(C) r/w 20(b)(ii)(C) and 29(1), 25 of the 'Narcotic Drugs and Psychotropic Substances Act, 1985' (hereinafter referred to as 'NDPS Act' for brevity), on the file of the respondent, seek bail.

2.The case of the prosecution is that based on the report given under Section 57 of the NDPS Act by the Sub-Inspector of Police along with the arrested accused persons (A1 to A3) and the contraband that was seized along with the vehicle, FIR was registered. A1 to A3 were found in possession of 22 kilograms of ganja and they were bringing it in a two-wheeler. Based on their confession, the involvement of A4 was ascertained and he is the persons belonging to Andhra



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Pradesh who supplies ganja on a wholesale quantity. There are totally four accused persons in this case and the petitioners have been arrayed as A1 and A4.

3.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing on behalf of the respondent.

4.The main ground that was urged by the learned counsel appearing on behalf of A1 is that A1 had gone to attend a court case on 23.08.2024 and from there, he was illegally taken away by the police. A complaint was given in this regard by his son which was enquired in CSR No.785 of 2024. It was therefore contended that a false case has been foisted against A1.

5.Insofar as A4 is concerned, it was submitted that this accused person has been roped in only based on the confession of A1 to A3.

6.This Court has carefully considered the submissions made on either side and materials available on record.

7.In the instant case, the recovery of 22 kilograms of ganja has been prima facie substantiated by the respondent police and there are no mandatory violations involved. It is true that the involvement of A4 came to light based on the confession of A1 to A3. However, it is seen that A4 belongs to Andhra Pradesh and there are two cases pending against him in Andhra Pradesh in which in one case it involved 98 kilograms of ganja and in the other case it involved 48 kilograms of ganja. It is also



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brought to the notice of this Court that there are 12 previous cases against A1 and all the cases pertain to NDPS offence.

8.This Court does not find any mandatory violation in this case and the twin conditions under Section 37 of the NDPS Act has not been satisfied and therefore, this Court is not inclined to enlarge the petitioners on bail. Accordingly, these petitions stand dismissed.

sd/-
20/12/2024

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/ 01 / 2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PKN

TO

1 THE INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.

2. THE OFFICER INCHARGE,
DISTRICT PRISON, THENI.

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



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ORDER
IN
Crl.O.P.(MD) Nos.20660
and 21793 of 2024
Date :20/12/2024

PSP/ SKN /SAR /03.01.2025/ 5P/ 4C

Madurai Bench of Madras High Court is issuing certified
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