



CRL OP(MD) No.20773 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.20773 of 2023

SATHEESHKUMAR

... PETITIONER/ACCUSED 1

Vs

THE INSPECTOR OF POLICE
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO. 299 OF 2022

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.R.UDHAYAKUMAR 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 C.C No. 176 of 2023 on the file of the Additional District and Sessions Court / Presiding Officer Special Court for E.C and NDPS Act Cases, Pudukkottai pending trial in Crime No. 299 of 2022

ORDER : The Court Made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 25.12.2022 for the offences punishable under Sections 8(C) r/w 20(b)(ii)(C), 25, 27A and 29(1) of NDPS Act, 1985 in Crime No.299 of 2022 on the file of the respondent



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police, seeks bail.

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2.The case of the prosecution is that on 25.12.2022 at about 15.40 hours, the respondent police intercepted the petitioner and recovered 22.300kgs of Ganja. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and no specific overt act is attributed against the petitioner and no previous case is pending against him. Hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor for the State would submit that the recovery was made from the petitioner to the tune of 22.300kgs of Ganja, it is a commercial quantity and 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 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.



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

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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 ADDITIONAL DISTRICT AND SESSIONS COURT /
PRESIDING OFFICER SPECIAL COURT FOR E.C AND NDPS ACT CASES,
PUDUKKOTTAI

2 THE INSPECTOR OF POLICE
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR 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.20773 of 2023
Date :03/01/2024

SA/DD/SAR. /09.01.2024/3P/5C

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