



Crl.O.P.(MD) No.21170 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.12.2024**

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) No.21170 of 2024

1.Kaleeswaran
2.Vigneshwaran

... Petitioners/ A11 & A13

Vs.

State rep. by
The Inspector of Police,
PEW Police Station,
Thoothukudi,
Thoothukudi District.
(Crime No.584 of 2023)

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to grant bail for the petitioners in Crime No.584 of 2023 in C.C.No.62 of 2024 on the file of the Principal Special Court for Trial of NDPS Act Cases, Madurai.

For Petitioners : Mr.Sankarasubramanian, Advocate

For Respondent : Mr.S.Ravi
Additional Public Prosecutor

O R D E R

The petitioners/A11 and A13, who were arrested and remanded to judicial custody for the offence under Sections 8(C) r/w 20(b)(ii)(C), 25 and 29(1) of



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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 the Inspector of Police attached to the respondent police received an information on 28.08.2023 at about 01.00 p.m., that A1 along with his wife and other accused persons have purchased 'Ganja' from Andhra Pradesh and have stored it at Puducherry and they are going to smuggle the same to Sri Lanka via Thoothukudi. This information was reduced into writing and recorded in the General Diary. The police team proceeded to the spot near Puthur Pandiapuram. Two innova cars and a bike were intercepted. A1 to A7 were travelling in one car and A10 to A16 were travelling in the other car. A8 and A9 were travelling in the two-wheeler. The Inspector of Police informed the rights of the accused persons to be searched in the presence of gazetted officer or Judicial Magistrate and since they did not opt for the same, the search was conducted and totally 228 kilograms of ganja was seized/recovered and the accused persons were arrested and remanded to judicial custody. The petitioners herein are A11 and A13 respectively.

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



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4.In the instant case, a total of 228 kilograms of ganja was seized and recovered from the accused persons. Insofar as the petitioners (A12 and A13) are concerned, they were travelling in the car from which the ganja was seized. This Court already considered the bail applications filed by the other accused persons in Crl.O.P.(MD) No.11135 of 2024 etc., Crl.O.P(MD) Nos.11899 of 2024 and 12045 of 2024 and all these petitions were dismissed and this Court directed the proceedings to be completed within a time frame.

5.This Court does not find any violation of the mandatory provisions and the reasoning that was given in the other bail petitions will equally apply to the petitioners also. The twin conditions under Section 37 of the NDPS Act has not been satisfied. Hence, this Criminal Original Petition stands dismissed.

sd/-

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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 PRINCIPAL SPECIAL JUDGE
FOR TRIAL OF NDPS ACT CASES, MADURAI.



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2 THE INSPECTOR OF POLICE,
PEW POLICE STATION,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT

3 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI.

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

ORDER
IN

CRL OP(MD) No.21170 of 2024

Date :20/12/2024

SS/SKN/SAR- /03/01/2025/ 4P/5C

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