



CRL OP(MD) No.22185 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Monday, the Eighth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.22185 of 2023

SUTHESHLIMMA

... PETITIONER / ACCUSED

Vs

THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
CRIME NO.129 OF 2023.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.PABITRA KUMAR PAIK Advocate

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

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

PRAYER:

FOR BAIL IN CRIME NO.129 OF 2023 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial
custody on 27.03.2023 for the alleged offence punishable under Sections 8(c) r/w
20(b)(ii)(c) of the NDPS Act, 1985, in Crime No.129 of 2023 on the file of the
respondent Police, seeks bail.



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2. The case of the prosecution is that on 27.03.2023, at about 06.30hours, based on the secret information, the Sub Inspector of Police seized 23.500 Kgs of Ganja from the accused persons. 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. He would further submit that there is no previous case pending against the petitioner. He would further submit that the petitioner is the native of Orissa. He would further submit that out of total quantity of Ganja, only 10 kgs of Ganja was recovered from the petitioner herein. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that totally 23.500 kgs of Ganja was recovered from the accused. He would further submit that the Ganja which was recovered from the petitioner is a commercial quantity. He would further submit that the petitioner is in joint possession of contraband with the other accused persons. 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



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a commercial quantity and also considering the fact that the petitioner is not satisfied the twin conditions as required under Section 37 of the NDPS Act, 1985, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
08/01/2024

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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 INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.22185 of 2023
Date :08/01/2024

SS/DD/SAR- /19/01/2024/3P/3C

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