



CRL OP(MD) No.21405 of 2023

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

Friday, the Fifth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.21405 of 2023

W.MUTHU @ MUPPIDATHI

... PETITIONER/ACCUSED NO.7

Vs

THE INSPECTOR OF POLICE
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.355/2023.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SIVA SURIANARAYANAN, Advocate

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

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

PRAYER : FOR BAIL IN CRIME NO.355/2023 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 26.10.2023 for the offences punishable under Section 8(c) r/w. Sections 20(b)(ii)(B), 25 and 29(1) of NDPS Act, 1985, in Crime No.355 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 26.10.2023, when the respondent Police

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conducted routine vehicle checkup, the respondent Police stopped a lorry. At that time, the accused persons tried to escape from the scene of occurrence. But however, the Police party caught some of the accused persons and seized the ganja. Some of the accused persons ran away from the scene of occurrence. Hence, the case. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offences as alleged by the prosecution. Further, co-accused were released on bail by this Court in Crl.O.P(MD) No.22224 of 2023. Hence, he prays to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that admittedly the accused Nos.1,2,3,5 and 7 were travelled in a lorry with 50 kgs of Ganja, which is a commercial quantity. The co-accused were released on bail on the ground that there was no recovery from those persons. But however, recovery is made from this petitioner. Apart from this case, one previous case is pending against the petitioner. Hence, he opposed to grant bail to the petitioner.

5.Heard. Perused the materials available on record including the First Information Report.

6. Considering the facts and circumstances of the case and also considering the fact that ganja seized from the petitioner is the commercial quantity and apart from



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this case, one previous case is pending against the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
05/01/2024

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/01/2024

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

INDU

TO

1 THE INSPECTOR OF POLICE, NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT.

2 THE SUPERINTEDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.21405 of 2023
Date :05/01/2024

RS/VR/SAR-(24.01.2024) 3P 4C
Madurai Bench of Madras High Court is issuing
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