



CRL OP(MD) No.21416 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.21416 of 2023

CHINNA DURAI @ ABBAS

... PETITIONER / ACCUSED No.1

Vs

THE INSPECTOR OF POLICE
TOWN EAST POLICE STATION,
THANJAVUR,
THANJAVUR DISTRICT.
CRIME NO.323/2023.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.V.SELVAKUMAR Advocate

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

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

PRAYER:

FOR BAIL IN CRIME NO.323/2023 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-

The petitioner/A1, who is facing trial for the offences punishable under
Sections 8(c) r/w 20(b)(ii)(A) and 22(C) of Narcotic Drugs and Psychotropic
Substances Act, 1985, in C.C.No.190 of 2023 on the file of the learned Additional
District and Sessions Judge/Presiding Officer, Special Court under Essential



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Commodities Act, Thanjavur, in Crime No.323 of 2023, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that, on 27.04.2023, the respondent police intercepted the petitioner and other accused persons and recovered 250kgs of Ganja and 560kgs of Diazepam. Hence, this case.

3.The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he is innocent and he has been falsely implicated in this case. Hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor for the State would submit 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. 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 is having three previous cases and he 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 INSPECTOR OF POLICE
TOWN EAST POLICE STATION,
THANJAVUR,
THANJAVUR DISTRICT.
- 2 THE OFFICER INCHARGE,
DISTRICT JAIL, THANJAVUR.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.21416 of 2023

Date :03/01/2024

SS/JGB/SAR- /09/01/2024/3P/4C

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