



CRL OP(MD) No.21429 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.21429 of 2023

MUTHUKUMAR

... PETITIONER/ACCUSED 3

Vs

THE INSPECTOR OF POLICE
SS COLONY POLICE STATION,
MADURAI CITY.
MADURAI.
(IN CRIME NO.329/2023.)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.THANGAM, Advocate

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

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

PRAYER:- FOR BAIL IN CRIME NO.329/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on
10.03.2023 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 29(1) and
25 of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.329 of 2023,

<https://www.mhc.tn.gov.in/judis>



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on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that, on 10.03.2023 at about 08.30 a.m., the respondent police intercepted the petitioner and other accused persons and recovered 23 kgs of Ganja. 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 the recovery is made only from the other accused persons and not from the petitioner. Hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor for the State would submit that the petitioner and other accused were found in joint possession of 23 kgs of Ganja and 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 INSPECTOR OF POLICE
SS COLONY POLICE STATION,
MADURAI CITY.
MADURAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

ORDER
IN
CRL OP(MD) No.21429 of 2023
Date :03/01/2024

SA/DD/SAR. /09.01.2024/3P/4C

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