



CRL OP(MD) No.21489 of 2023

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

Tuesday, the Ninth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.21489 of 2023

RUBAN

... PETITIONER / ACCUSED No.3

Vs

THE INSPECTOR OF POLICE
PEW POLICE STATION, PUDUKKOTTAI.
CR.NO.459/2023

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.C.EZHILARASU, Advocate

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

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

PRAYER:

FOR BAIL IN CRIME NO. 459/2023 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused No.3, who was arrested and remanded to
judicial custody on 22.07.2023 for the alleged offence punishable under Sections 8(c)
r/w 20(b)(ii)(C), 25, 29(1) of NDPS Act in Crime No.459 of 2023 on the file of the
respondent Police, seeks bail.



CRL OP(MD) No.21489 of 2023

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2. The case of the prosecution is that based on the secret information, the respondent Police intercepted the vehicle and seized 409 Kgs of Ganja from Accused. 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 based on the confession statement of the other accused, the petitioner herein is added as Accused No.3 in this case. He would further submit that the petitioner is not available at the scene of occurrence. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that totally 409 kgs of Ganja was recovered from the accused. He would further submit that the petitioner is available at the scene of occurrence. He would further submit that the Ganja which was recovered from the petitioner is a commercial quantity. He would further submit that the petitioner has appointed the Accused No.1 as a Driver. 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



CRL OP(MD) No.21489 of 2023

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 and also considering the fact that the petitioner himself admitted he has appointed the Accused No.1 as a Driver in the vehicle, this Court is not inclined to grant anticipatory bail to the petitioner

6. Accordingly, the Criminal Original Petition stands dismissed.

sd/-

09/01/2024

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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
PEW POLICE STATION, PUDUKKOTTAI.
- 2 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.21489 of 2023

Date :09/01/2024

SS/DD/SAR- /24/01/2024/3P/4C

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