



CRL OP(MD) No.21785 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.21785 of 2023

SRIMATHI INDIRAGANDHI

... PETITIONERS/ACCUSED NO.7

Vs

THE INSPECTOR OF POLICE
PEW-THOOTHUKUDI,
THOOTHUKUDI DISTRICT.
CR.NO.584/2023

... RESPONDENT/COMPLAINANT

For Petitioner : MR.R.J.KARTHICK, Advocate

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

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

PRAYER : FOR BAIL IN CRIME NO.584/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A7, who was arrested and remanded to judicial custody on 28.08.2023 for the offence punishable under Section 8(c) r/w. Sections 20(b)(ii)(c), 25 and 29(1) of NDPS Act, 1985 in Crime No.584 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secrete information received,
<https://www.mhc.tn.gov.in/judis>



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on 28.08.2023, the respondent police had intercepted a Innova Cystra car bearing Reg.No.TN-07-CK-2123 and the Innova car bearing Reg.No.TN-22-CH-3280 and a Bajaj Pulsar bike bearing registration No.TN-69-AM-9690 at Madurai to Thoothukudi Highways, wherein, all the accused in this case have travelled. Further, in these vehicles, 12 numbers of white color bags which contains 228 kilograms of ganja were found. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He would further submit that she was not aware of the possession of ganja in the cars and no recovery was made from the petitioner. He would further submit that the petitioner is in judicial custody from 28.08.2023. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that this is the second application for bail and the earlier application filed by the petitioner in Crl.O.P(MD).No.18327 of 2023 was dismissed on 03.11.2023 by this Court. He would further submit that 228 kilo grams of Ganja have been recovered from the accused persons and it is a commercial quantity. Hence, he strongly opposed to grant bail to the petitioner.

5. It appears that this is the second application for bail and the earlier bail



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application filed by the petitioner in Crl.OP(MD)No.18327 of 2023 was dismissed by this Court on 03.11.2023 on the ground that the petitioner has not satisfied the twin conditions as required under Section 37 of the NDPS Act. Now, this application is filed by the petitioner without referring the change of circumstances to consider the case.

6.Considering the above facts and circumstances of the case and also considering the fact that there is no change in circumstances, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

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.

ssb

TO

1 THE INSPECTOR OF POLICE, PEW-THOOTHUKUDI,
THOOTHUKUDI DISTRICT.

2 THE OFFICER INCHARGE, SPECIAL SUB JAIL FOR WOMEN,
KOKKIRAKULAM, TIRUNELVELI.

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



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ORDER

IN

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Date :03/01/2024

RS/JGB/SAR-(23.01.2024) 4P 4C

Madurai Bench of Madras High Court is issuing
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