



CRL OP(MD) No.22094 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.22094 of 2023

KUMAR

... PETITIONER/ ACCUSED NO.5

Vs

THE INSPECTOR OF POLICE
VETHARANYAM POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.227/2023.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.SUSI KUMAR.C Advocate

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

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

PRAYER:

FOR BAIL IN CRIME NO.227/2023 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-

The petitioner/A5, who was arrested and remanded to judicial custody on
08.09.2023 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(b)(c), 25 and

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



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29(1) of NDPS Act, in Crime No.227 of 2023, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that on 30.07.2023, based on the secret information, the respondent police went to south side of the Kuravappulam, Karuppampulam Junction, at about 13.35 hours, intercepted a two wheeler along with one TATA Sumo Gold Car bearing Registration No.TN-51-AS-2822, and searched the said vehicles and they found that the accused persons were in possession of 300kgs of Ganja with dry leaves and flowering tops. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is the driver of the said car and he was falsely implicated in this case and he was not aware of the smuggled goods in the said car and the same was hided by the other accused persons and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor for the State would submit that the petitioner is the driver of the vehicle and 300kgs of Ganja was recovered from the vehicle and his name was found in the recovery mahazar. He would further submit

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that apart from this case, the petitioner is having three previous cases and the quantity of contraband 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 petitioner is having three previous cases and the quantity of contraband 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.

7.In the result, this Criminal Original Petition is dismissed.

sd/-
03/01/2024

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/01/2024

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

TO

1.THE INSPECTOR OF POLICE
VETHARANYAM POLICE STATION,
THANJAVUR DISTRICT



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2 THE SUPERINTENDENT,
CENTRAL PRISON,
TRICHY.

3 THE ADDITIONAL PUBLICPROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.22094 of 2023
Date :03/01/2024

RK/DD (09/01/2024) 4P / 4C

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