



CRL OP(MD) No.22152 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Thursday, the Fourth day of January Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.22152 of 2023

JEYASTON

... PETITIONER / ACCUSED No.3

Vs

THE INSPECTOR OF POLICE
NIB CID,
THOOTHUKUDI
THOOTHUKUDI DISTRICT,
CRIME NO.18/2021

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI, Advocate

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

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

PRAYER:

TO RELEASE THE PETITIONER/ACCUSED ON BAIL IN CC.NO.331/2023
IN CRIME NO.18/2021 ON THE FILE OF THE LEARNED ADDITIONAL
DISTRICT JUDGE/COMMUNAL CLASS COURT, MADURAI.

ORDER : The Court Made the following order :-

The petitioner/A3, who is facing trial for the offences punishable under
Sections 8(c) r/w 20(b)(ii)(C), 29(1) and 25 of NDPS Act in C.C.No.331 of 2023 on the
file of the learned Additional District Judge/Communal Class Court, Madurai, in



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Crime No.18 of 2021, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that on 08.10.2021 at about 04.30 hours, based on the secret information, the 'Q' Branch police went to raid at Santhiyapparkovil Seashore area in Tharuvaikulam. At that time, the 'Q' Branch police saw a Blue color Vallam boat named "D Peril" bearing Registration No.IND TN 12 MO 2669 standing in a suspicious manner in the seashore. On seeing the 'Q' Branch Police, the accused persons tried to escape from the scene of occurrence, but they were surrounded by the 'Q' Branch Police and found 530kgs of Ganja in the above said Blue Color Vallam Boat in 15 white color gunny bags. On enquiry, it revealed that the accused persons misused the boat's registration number IND TN 12 MO 2669, which stands in the name of one Isakkiyammal, W/o.Murugesan. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.It appears that this is the second application for bail and the earlier bail application filed by the petitioner in Crl.OP(MD)No.7285 of 2023 was dismissed by this Court on 20.04.2023 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.



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

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

sd/-

04/01/2024

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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 ADDITIONAL DISTRICT JUDGE/
COMMUNAL CLASS COURT,
MADURAI.
- 2 THE INSPECTOR OF POLICE
NIB CID,
THOOTHUKUDI
THOOTHUKUDI DISTRICT.
- 3 THE OFFICER INCHARGE,
CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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ORDER
IN

CRL OP(MD) No.22152 of 2023

Date :04/01/2024

SS/VR/SAR- /10/01/2024/4P/5C

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