



CRL OP(MD) No.22227 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.22227 of 2023

RAVIKUMAR

... PETITIONER/ACCUSED 4

Vs

THE INSPECTOR OF POLICE
NIB CID RAMANATHAPURAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.9/2023.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.PRAKASH K Advocate

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

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

PRAYER:- FOR BAIL IN CRIME NO.9/2023 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-

The petitioner/ A4, who was arrested and remanded to custody on 01.10.2023
for the offences punishable under Sections 8(c) r/w 22(C) and 25 of NDPS Act, 1985



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in Crime No.9 of 2023, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the accused persons were found in illegal possession of 860 grams of methamphetamine. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and the contraband was recovered only from the co-accused and based on the confession of A1 to A3, the petitioner was implicated in this case. 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 860 grams of methamphetamine and the permissible quantity is only 2 grams and hence, 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 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.



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

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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 INSPECTOR OF POLICE
NIB CID RAMANATHAPURAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

2 THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKKOTTAI.

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

+1 CC to M/s.K.PRAKASH, Advocate (SR-164[I] dated 04/01/2024)

ORDER
IN
CRL OP(MD) No.22227 of 2023
Date :04/01/2024

SA/VR/SAR. /09.01.2024/3P/5C

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