



CRL OP(MD) No.23419 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.23419 of 2023

BARNIKANA PAVAN KUMAR

... Petitioner / Accused No.10

Vs

THE INSPECTOR OF POLICE
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.355/2023.)

... Respondent / Complainant

For Petitioner : M/s.N.Vignesh, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.355/2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A10, who apprehends arrest at the hands of the respondent
police for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 25 and 29(1)



CRL OP(MD) No.23419 of 2023

of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 116 of IPC, in Crime No.355 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the other accused persons went to Andrapradesh and purchased huge quantity of Ganja from the petitioner and A11. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is a student and he has not committed any offence as alleged by the prosecution and based on the confession statement of the other accused persons, he has been falsely implicated in this case and hence, he prays for grant bail to the petitioner.

4.The learned Additional Public Prosecutor for the State would submit that the other accused persons went to Andrapradesh and purchased huge quantity of Ganja from the petitioner and A11, it is a commercial quantity and hence, the petitioner has not satisfied the twin conditions as required under Section 37 of the NDPS Act. Thereby, 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



CRL OP(MD) No.23419 of 2023

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.

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,
Nanguneri Police Station,
Tirunelveli District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.23419 of 2023
Date :04/01/2024

ED/ JGB /SAR- (09/01/2024) 3P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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