



CRL OP(MD). No.2620 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Boominathan

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,

Rep by the Inspector of Police, Keeraithurai Police Station,

Madurai City. Crime No. 117/2024

... Respondent/Complainant

For Petitioner : Mr.P.Praveenkumar,
Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

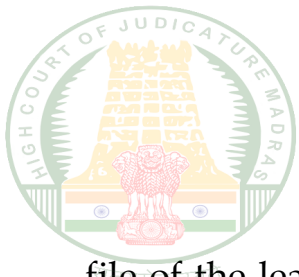
PRAYER :-

To enlarge the Petitioner on bail in C.C. No. 212 of 2024 on the file of the 1st Addl. Court for EC and NDPS Act Cases, Madurai and thus render justice.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 07.02.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner / Sole Accused was arrested and remanded to judicial custody on 15.03.2024. The petitioner is facing trial in C.C. No. 212 of 2024 on the



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file of the learned I Additional Judge for EC and NDPS Act Cases, Madurai for the
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offences punishable under Sections 8 (c) r/w 20(b)(ii)(C) of the NDPS Act, 1985 in
connection with Crime No.117 of 2024 on the file of the respondent-Police.

3. The case of the prosecution is that on 15.03.2024, at about 02.15 p.m., based on the secret information received by the Sub-Inspector of Police, a police team conducted an inspection near Kamarajapuram Vazhaithoopu Thandavalam. During the inspection, they found that the petitioner was in illegal possession of 25 kgs of ganja in a white gunny bag. The respondent-police seized the contraband and arrested the petitioner. Hence, the case.

4. Mr.P.Praveenkumar, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence, and that a false case has been foisted against the petitioner. He further submits that the petitioner is ready to abide by any conditions to be imposed by this Court, and co-operate with the trial. He further submits that if bail is granted to the petitioner, he will not abscond. Therefore, he prays for granting bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-Police, submits that the respondent-Police seized 25 kgs of ganja from the petitioner on the spot, which constitutes a commercial quantity. He further submits that there is one previous case pending



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against the petitioner and the same has been ended in conviction in C.C.No.304 of 2022 before the concerned Court. He further submits that in view of Section 37 of the NDPS Act, the petitioner has not made out a prima facie case. He further submits that if bail is granted to the petitioner, he may abscond and thereby, cause delay to the trial proceedings. Hence, he vehemently opposes to grant bail to the petitioner.

6. Heard on both sides. This Court has perused the records.

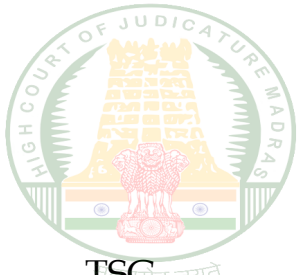
7. Considering the above, and taking note of the fact that 25 kilograms of contraband was seized from the petitioner at the spot, which constitutes a commercial quantity and taking note of the fact that there has been no change in circumstances, it is observed that the petitioner has already been convicted in another case, which is similar in nature. Furthermore, the petitioner has not satisfied the conditions stipulated under Section 37 of the NDPS Act. Hence, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
26/03/2025

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/04/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TSG
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- 1.The Inspector of Police,
Keeraithurai Police Station, Madurai City.
- 2.The Officer Incharge, District Jail, Virudhunagar.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.2620 of 2025
Date :26/03/2025

NBF/SAR /30.04.2025 4P/4C

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