



CRL OP(MD). No.21346 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 24/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.21346 of 2024

R.Sevanthu

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Chekkanurani Police Station,
Madurai District.
(Crime No.398 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.G.Karuppasamy Pandian
for Mr.NA. Manimaran

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Crl. side)

PRAYER :-

For Bail in Crime No. 398 of 2023 on the file of the respondent Police.



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 03.12.2024 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail.

2. The petitioner / accused No.2 was arrested and remanded to judicial custody on 28.10.2023 for the alleged offences punishable under Sections 8(c) r/w.20 (b)(ii)(C), 25, 29(1) of NDPS Act, in Crime No.398 of 2023, on the file of the respondent-police.

3. The case of the prosecution is that on 28.10.2023 at 6.00 hours, based on the secret information received by the Sub Inspector of Police, he along with Police party and equipment went near the Panniyan Vilakku, Sholavanthan to Thirumangalam road, while so the petitioner / A2 came in the vehicle bearing Regn.No.TN 10X 0526 Innova Car, the respondent - Police stop and searched the car, while so, there they found white sack, which contains 20 packets, each weighed 2.2 kg, totalling 4.4 kg of Ganja. The said contra band was seized by the respondent - Police and sample has been taken. Hence, the case.

4. Mr.G.Karuppasami Pandian, learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in



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this case. He further submits that the petitioner has been judicial custody since 28.10.2023. Accordingly, he prays to grant bail to this petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-Police, submits that there are 22 previous cases pending against the petitioner and that the quantity involved in this case is 44 kgs of ganja is commercial in nature and hence, he prays for dismissal of this petition.

6. Heard both sides and perused the records.

7. This Court perused the CD file and other case file. There are sufficient materials available against the petitioner to show that the petitioner involved in the offence. The contra band recovered from the petitioner and other accused persons are commercial quantity. Considering the bad antecedents of the petitioner, this Court is of the view that if the bail is granted to the petitioner, he may commit similar type of offence. Further, as per the conditions laid down by the Hon'ble Supreme Court, the petitioner has not made out a case to satisfy the requirements under Section 37 of NDPS Act. Hence, this Court is not inclined to grant bail to the petitioner.



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8. Accordingly, this Criminal Original Petition is dismissed.

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/04/2025

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

TO

- 1.THE SUPERINTEDENT, CENTRAL WOMEN PRISON, MADURAI.
- 2.INSPECTOR OF POLICE,CHEKKANURANI P.S,MADURAI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.21346 of 2024
Date :24/03/2025

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