

In the Court of the Vacation Sessions Judge, Theni.

Present: Thiru. P. Ganesan, B.A., B.L., D.L.L.,
Vacation Sessions Judge, Theni,

Dated this the 14th day of May 2024

Cr1.M.P.No.67/2024

CNR.No.TNTH00-000095-2024

1. Vasanthakumar

2. Rajasekar

... Petitioners/Accused

-Versus-

State through the Inspector of Police,

Kadamalaigundu P. S. in

Cr.No.170/2024

... Respondent/Complainant

This petition is coming up on this day before me for hearing in the presence of Thiru. S. Sivaprakash, for the petitioners and the Learned Public Prosecutor for the State and this Court passed the following:

ORDER

This petition has been filed by the petitioners/accused U/s.439 of Code of Criminal Procedure seeking bail.

2. The Nitty-Gritty of the prosecution case is as follows :-

On 06.05.2024 at about 8.00 a.m., at Ponniam, the petitioners were carrying Kanja weighing 100 gm.,and cash amount of Rs.14,150/- in their Auto Rikshaw bearing Registration No. TN.60 V-2307 and Motor Bike. Therefore the case was registered against the petitioners U/s. 8(c), 20(b)(ii)(A), 25, 29(1) NDPS Act and U/s. 77 of J.J.Act.

3. Heard both sides.

4. The points for determination is that can the petitioners be released on bail ?

..2..

Answer :

5. The FIR and reply given by the Police are perused. As revealed from the FIR, the petitioners allegedly possessed Kanja and cash of Rs.14,150/- with them. Also while searching them, the petitioners were selling Kanja to minor persons. It could also be inferred from the FIR that the petitioners possessed cash amount by selling Kanja to the public. Selling Kanja to the public would largely affect the young generation particularly students. So having regard to the above facts and serious impact in society, I am not inclined to release the petitioner on bail.

In result, this bail petition is dismissed.

Pronounced by me in open Court on this the 14th day of May 2024.

**Vacation Sessions Judge,
Theni.**

Copy to:

The Judicial Magistrate, Aundipatty.