



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

Thursday, the Twenty First day of January Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.1009 of 2016

S. KUTTY @ CHIDAMBARAM

... PETITIONER

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
TALUK POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO. 391 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.R.SURESH KUMAR Advocate

For Respondent : Mr.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as an accused, in Crime No.391 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 07.09.2015 for the alleged offences punishable under Section 8(c) r/w 20(b)(ii)(c) of NDPS Act, and hence, seeks bail.

2. The case of the prosecution is that on 07.09.2015 as per the order of the Deputy Superintendent of Police, Vallam, the respondent police conducted vehicle check-up at Thalavaipalayam Cut Road Circle, Mariayamman Kovil, Thanjavur District, at that time, on suspicion an unregistered vehicle driven by the petitioner was intercepted and found that 22 kgs of heroine leaf in the vehicle and on the complaint, the case has been registered against the petitioner.

3.The case of the petitioner is 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 and this case has been foisted against the petitioner only with a view to detain him under Act 14 of 1982. The detention order was set aside by this Court in H.C.P.No.1483 of 2015 and he is in judicial custody from 07.09.2015.

4. The learned Government Advocate (Crl.side) submitted that the petitioner is a habitual offender and he is having several criminal cases and he is a notorious criminal. He further submitted that the petitioner was found in possession of 22 kgs of heroine, which is a commercial quantity and the investigation is pending and if the petitioner is enlarged on bail, he will abscond and objected to grant bail to the petitioner.



5.Considering the facts and circumstances of the case and also considering the fact that the contraband has been seized from the petitioner is a commercial quantity and the involvement of the petitioner in other cases and the investigation is pending, I am not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

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sd/-
21/01/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE
TALUK POLICE STATION, THANJAVUR DISTRICT.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHIRAPALLI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1009 of 2016
Date :21/01/2016

NS
NS/JGB-DP/SAR I/28.01.2016 : 2P/4C