

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventeenth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL ORIGINAL PETITION No.16850 of 2018

KARTHICK,

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
NIB-CID,
CHENNAI-39.
CR.NO. 24/2017

[RESPONDENT]

For Petitioner : M/S.V.RAJAMOHAN Advocate

For Respondent : MR. C. RAGHAVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 8(c) r/w 20(b)(c) of the Narcotic Drugs and Psychotropic Substances Act in Crime No.24 of 2017, seeks anticipatory bail.

2. This is the second anticipatory bail. The first anticipatory bail petition filed in CrI.OP.No.13107 of 2017 was dismissed by this Court on 18.07.2017, by a detailed order.

3. The case of the prosecution has been set out in Paragraph No.2 of the counter filed by the respondent police, which reads as follows:

"It is submitted that the brief facts of the case is that on the source of secret information, on 22.04.2017 at about 06.15 hours, Tmt.Dharani Bai, Inspector of Police and her police parties have visited to Koyambedu Bus Stand, Chennai to Theni and found that the accused Mohamed Ismail (A-2) and the petitioner/accused Karthick (A-3) were standing along with 21 kgs of ganja in the white colour polythene gunny bag. After seeing the police party, the petitioner/accused Karthick (A-3) flee away from the spot and A-2 was arrested by

the Inspector of Police and recorded his confession statement and also seized 21 kgs of Ganja, Moto Gs Cell Phone, Sim Card and Bus ticket from him, wherein he stated that on the direction of the accused Pandeewaran (A-1) and Priya (A-4), the petitioner/accused Karthick (A-3) had received the money from them and purchased the Ganja from Andhra Pradesh with A-2.

Thereafter, A-2 brought to the police station and based on the confession of A-2, a case was in Chennai NIB CID Unit Crime No.24 of 2017 under Sections 8(c) r/w 20(b)(ii)(c) of the NDPS Act by Tmt.Dharanibai, Inspector of Police on 22.04.2017 at 10.00 hours against Pandeewaran/A1, Mohammed Ismail/A2, Karthick/A3 and Priya/A4 and took up investigation."

4. Though investigation has been completed and a charge sheet has been filed in C.C.No.87 of 2017 before the Special Court for NDPS cases, Chennai, there are sufficient materials on record to show that the involvement of the petitioner in the offence. In the light of Section 37 of the NDPS Act, this petitioner will not be entitled to the benefit of anticipatory bail.

In the result, this petition is dismissed.

-sd/-
17/07/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
NIB-CID, CHENNAI-39.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.V.RAJAMOHAN Advocate on payment of necessary charges

CRL OP.16850/2018

Date :17/07/2018

TA-24/07/2018