



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

Tuesday, the Thirtieth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.751 of 2018

KAVERI

... PETITIONER /1st ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KUMBAKONAM WEST POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.481/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.POORNA CHANDRAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

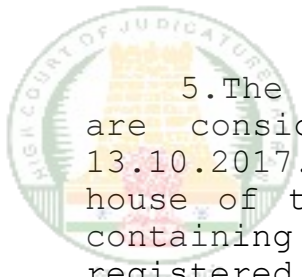
Reserved on : 23.01.2018
Delivered on : 30.01.2018

The petitioner/Accused No.1, who was arrested and remanded to judicial custody on 13.10.2017 for the offences punishable under Section 8(c) r/w. 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.481 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 13.10.2017, as per secret information, the respondent police conducted a search on the petitioner's house and seized 27 bundles containing 60.110 Kgs of Ganja. Hence, a case has been registered for the offences stated above.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and she has not committed any offence as alleged and she has been falsely implicated in this case and prays for bail.

4.The learned Government Advocate (Criminal side) submitted that on 13.10.2017, on the basis of secret information, the respondent police, conducted a search in the premises of the petitioner and seized 60.110 Kgs of Ganja and registered the case.



5.The submissions made by the learned counsel on either side are considered. The petitioner is in judicial custody from 13.10.2017. It is alleged that during time of occurrence, in the house of the petitioner, the respondent police seized 27 bundles, containing 60.110 Kgs of Ganja and thereafter, the case has been registered by the respondent police.

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6.Now, in order to consider this application, the learned counsel appearing for the petitioner submitted that actually the petitioner's husband was having the Brandy Liquor Bottles at the time of arrest. Due to scuffle between the petitioner's husband and the Kumbakonam East Police, the case was registered against the petitioner without any iota of evidence. Now, the learned counsel appearing for the petitioner has not pointed out which mandatory provision in the NDPS Act has not been followed by the respondent police and merely contends that the petitioner has been falsely implicated in this case. From the quantity of contraband, which was recovered from the petitioner, it could be seen that it is unable to put up a false case against the petitioner. So, the submissions made by the petitioner's counsel would not make any suspicious ground against the prosecution case. Hence, this petition is not having any merit. Accordingly, this Criminal Original Petition is dismissed.

sd/-
30/01/2018

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

SMN2
TO

- 1 THE INSPECTOR OF POLICE
KUMBAKONAM WEST POLICE STATION,
THANJAVUR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE OFFICER INCHARGE, SUB JAIL, THIRUVARUR.

GJM/PM/PN/SAR-4-2.2.18-2P-4C

ORDER
IN
CRL OP(MD) No.751 of 2018
Date :30/01/2018