

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No. 6614 of 2020

Vinoth @ Vinothkumar

... Petitioner/3rd Accused

Vs.

The State represented by,
The Inspector of Police,
Kelampakkam Police Station,
Coimbatore District.
[Crime No. 546 of 2019]

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police in Crime No. 546 of 2019, on the file of the respondent police.

For Petitioner : Mr.R.Parthiban

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 20(b)(ii)(C) of NDPS Act, in Crime No. 546 of 2019, on the file of the respondent, seeks anticipatory bail.

2 The case of the prosecution as per the defacto complainant viz., Pandey, Inspector of Police, Kelampakkam Police Station, is that while he was conducting vehicle checkup, he had stopped the petitioner's two wheeler and on search, it was found that the accused were illegally transporting ½ kg of Ganja and that they were found in possession of Rs.5,000/-, which was the proceeds of selling Ganja. Hence, the complaint.

3 The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case based on the confession given by the co-accused. Hence, he prays to grant anticipatory bail to the

4 The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is the associate of one Prakash and Senthilkumar who are Ganja peddlers. He would submit that the said Prakash and Senthilkumar were arrested for being found in illegal possession of ½ kg of Ganja along with the proceeds of Rs.5,000/- and they have given confession that the petitioner and one Raja had handed over the Ganja to them to be sold to the college students in that area. He would submit that there are 14 previous cases pending against the petitioner, out of which one case was registered under Section 307 of IPC and one case was registered for Kidnapping. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5 Taking into consideration of the facts and circumstances of the case, submissions made by the learned counsels and considering the fact that the petitioner is a drug peddler and a habitual offender involved in NDPS cases, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition stands dismissed.

-sd/-

29/10/2020

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 JUDICIAL MAGISTRATE COURT
NO.I, CHENGALPET.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KELAMPAKKAM POLICE STATION,
COIMBATORE DISTRICT.

CC to M/S.R.PARTHIBAN Advocate on payment of necessary charges

CRL OP.6614/2020

Date :29/10/2020