

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :07.05.2020
CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Cr1.O.P.No.7454 of 2020

A.Mumtaz Hussain

... Petitioner

Vs.

The Intelligence officer, ... Respondent
Narcotic Control Bureau,
South Zone,
Chennai. (File No.48/1/04/2019 NCB/MDS)

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail pending investigation in File No.48/1/04/2019 NCB/MDS on the file of the respondent police.

For Petitioner : Mr.S.Ambedkumar

For Respondent : Mr.N.P.Kumar

Special Public Prosecutor
for NCB Cases

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.04.2019 for the offence punishable under Sections 8(c) r/w sections 20(b)(ii)(B) 27A, 28 & 29 of NDPS Act, in File No.48/1/04/2019 NCB/MDS, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the intelligence report on 03.04.2019 the respondent intercepted and found to be in possession of Hashish Oil in the course of interrogation search the petitioner's house and the respondent found 420 grams of hashish oil and fails from the possession of the petitioner herein. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is not involved in the above alleged offence and

prosecution and she did not commit any offence and she has been falsely implicated in this case and she did not have any knowledge about the contraband alleged by the co-accused. The actual weight of contraband only 320 grams and only to show a commercial quantity they also included the weight of polyethylene covers. Further he submits that the investigation has been already completed and the final report is also ready. The petitioner is a lady and she has no previous antecedence. He further submitted that the petitioner is in judicial custody from 03.04.2019 and hence, he seeks bail for the petitioner.

4. The learned Additional Public Prosecutor submitted that the respondent search the petitioner's house and found in possession of Hashish oil that too commercial quantity. Further, he submitted that already this Court dismissed the bail petition filed by the petitioner on merits and now there is no change of circumstances to consider the present bail petition.

5. It is seen that the petitioner was found in possession of Hashish oil weighing 420 grams and it is commercial quantity. Further, this Court already dismissed the bail petition filed by the petitioner and now there is no change of circumstances to consider the present bail petition. Therefore, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original petition is dismissed.

-sd/-

07/05/2020

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 PRINCIPAL SPECIAL JUDGE FOR NDPS,
CHENNAI.

2 THE INTELLIGENCE OFFICER
NARCOTIC CONTROL BUREAU,
SOUTH ZONE, CHENNAI,

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN,
BOZHAI, CHENNAI-600 066.

CC to M/S. S.AMBED KUMAR Advocate on payment of necessary charges

CRL OP.7454/2020

Date :07/05/2020

TA-16/07/2020



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