

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.05.2020

CORAM

THE HONOURABLE MR.JUSTICE. G.K.ILANTHIRAIYAN

Cr1.O.P.No.7486 of 2020

Amir @ Amirthalingam

... Petitioner

Vs.

State by
Inspector of Police,
Tiruppur Central Police Station,
Tiruppur District.
Cr.No.129/2020.

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C, to enlarge the petitioner on bail in Cr.No.129 / 2020 pending on the file of the Inspector of Police, Tiruppur Central Police Station, Tiruppur District

For Petitioner : Mr.N.Sudharsan

For Respondent : Mr.Mohammed Riyaz
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.03.2020 for the offence punishable under Sections 8 (c) r/w.20 (b) (ii) (B) of NDPS Act, in Crime No. 129 / 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of 1.100 kgs of Ganja illegally. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that it is a put up case and he has nothing to do with the alleged offence. Even going by the prosecution, it is a very small quantity and there is no par with section 37 of NDPS Act and he is entitled for bail. He further submitted that the petitioner was arrested and remanded to judicial custody on 20.03.2020. Hence, he seeks bail for the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner is an habitual offender. So far, he has involved in 14 previous cases of similar in nature and if he is let out on bail, he would again commit similar kind of offences. Hence he vehemently opposed to grant bail to the petitioner.

5. It is seen that the petitioner is an habitual offender. Though, it is small a quantity, he has involved in 14 previous cases of similar in nature under NDPS Act. Further the petitioner has been arrested recently on 20.03.2020. Therefore, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

08/05/2020

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 ADDITIONAL DISTRICT AND
SESSIONS JUDGE, SPECIAL COURT FOR ESSENTIAL
COMMODITIES ACT CASES, COIMBATORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
INSPECTOR OF POLICE, TIRUPPUR CENTRAL
POLICE STATION, TIRUPPUR DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

CC to M/S. N.SUDHARSAN Advocate on payment of necessary charges

CRL OP.7486/2020

Date :08/05/2020

RVR 24/06/2020

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