

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.08.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.10946 of 2020

Rahamad Nisha

... Petitioner

Vs.

The Inspector of Police
J-4, Kotturpuram Police Station,
Mylapore Police District.
Chennai.
Crime No.685 of 2020.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the Petitioner on Bail in **Crime No. 685 of 2020** on the file J-4, Kotturpuram Police Station, Chennai.

For Petitioner : Mr.M.Hussaini Basha

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (CrI. Side)

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to the judicial custody on 09.06.2020 for the alleged offences punishable under sections 8(c) read with 20(b)(ii)(c), 25, 27A, 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.685 of 2020 on the file of the respondent police, seeks bail.

2 The case of the prosecution as per the defacto complainant is that on specific information, the defacto complainant along with his parties, intercepted an auto rickshaw TN 07 BT 3713 and on search, the inmates were found to be in possession of 22.06 kgs. of ganja and on their confession, further search was conducted and additional 11 kgs. of ganja was recovered, totally 33 kgs of ganja was recovered. Hence, the complaint.

3 The learned counsel appearing for the petitioner would submit that the petitioner is an innocent lady and she has been falsely implicated in this case. He would submit that there are totally nine accused in this case and that the alleged ganja had been recovered from three different places. He would submit that

the petitioner was only traveling along with the other accused and she was not aware of the contraband and that the contraband was recovered from A1. He would further submit that the petitioner is in custody from 09.06.2020. Hence, he prays to grant bail to the petitioner.

4 Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner was traveling along with the other accused in an auto rickshaw and on specific information, the defacto complainant along with his parties, intercepted the auto rickshaw. On search, the inmates were found to be in possession of 22.06 kgs. of ganja and thereafter, on the confession of the inmates in the auto rickshaw, further search was conducted and additional 11 kgs. of ganja was recovered. He would submit that it is a case of seizure of 33 kgs of ganja which is a commercial quantity and the investigation is at the primary stage. Hence, he vehemently opposed for the grant of bail to the petitioner.

5 Taking into account the nature offence and the fact that the contraband involved in this case is a commercial quantity and the petitioner was arrested recently, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original Petition stands dismissed.

-sd/-

12/08/2020

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 INSPECTOR OF POLICE
J4, KOTTURPURAM POLICE STATION,
MYLAPORE POLICE DISTRICT,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN, PUZHAL.

CC to M/S.M.HUSSAINI BASHA Advocate on payment of necessary charges

CRL OP.10946/2020

Date :12/08/2020

TA-26/08/2020

<https://hcservices.ecourts.gov.in/hcservices/>