

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 06.08.2020
CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.10887 of 2020

Arun

... Petitioner

vs.

State Rep. By
Inspector of Police,
T1, Ambattur Police Station,
Chennai.
(Cr. No.2392 of 2019)

... Respondent

PRAYER: Criminal Original Petition filed under Section 438 of Criminal Procedure Code praying to enlarge the petitioner on bail in the event of his arrest at the hand of the petitioner on bail in the investigation in Cr. No.2392 of 2019 on the file of the respondent police.

For Petitioners : Mr. S.Senthilvel

For Respondent : Mr. S.Karthikeyan
Additional Public Prosecutor

O R D E R

The petitioner who apprehends arrest at the hands of respondent police for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) and of NDPS Act 1985 in Crime No.2392 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that on 13.12.2019, the petitioner and other accused were found in the possession of 1.200Kgs of Ganja. Hence the complaint.

3. Learned counsel appearing for the petitioner would submit that only a false case has been foisted against him. He would further submit that only to deny the anticipatory bail to the petitioner, the prosecution has raised the allegations as if 1.200 kgs of Ganja was seized from the petitioner. The respondent police did not follow the mandatory provisions under Sections 50 of N.D.P.S. Act. Hence, he sought anticipatory bail to the petitioner.

4. Learned Additional Public Prosecutor would submit that it is a case of Ganja and the petitioner was found in the possession of 1.200 kgs of ganja. The respondent police duly complied the mandatory provisions as contemplated under Sections 50 of N.D.P.S. Act. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that the quantity of ganja involved is 1.200 Kgs. Further, the petitioner already filed anticipatory bail petition in Crl.O.P.No.9689 of 2020, which was dismissed as withdrawn on 29.06.2020. Now, this is the secondary anticipatory bail petition before this Court. This court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this criminal original petition is dismissed.

-sd/-
06/08/2020

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
T1, AMBATTUR POLICE STATION,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

WEB COPY

CRL OP.10887/2020

Date :06/08/2020

cs 14/10/2020