

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.OP.No.12945 of 2020

Nowfal Riyaz

... Petitioner

Vs.

The State rep.by,
The Inspector of Police ,
S-6, Sankar Nagar Police Station,
Chennai 600 069.

.... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,praying to enlarge the petitioner on bail in the event of his arrest in Crime No.785 of 2020 on the file of the respondent police.

For Petitioner : Mr.Raj Kumar Paul

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

O R D E R

(This case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(c), 20(b)(ii) (B) of NDPS Act 1959 in Crime No.785 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the respondent police received information from the defacto complainant that the petitioner along with some other persons were in possession of Narcotic drugs. Therefore, they went to the place of occurrence and one person ran away and the other persons were in possession of 1200 gms of Kanja. Totally there were seven accused in this case and six of them were arrested and the petitioner herein who is ranked as A1 ran away from the scene of occurrence. Hence, the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner is a innocent person and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioners along with some other persons were found in possession of 1.150 kilograms of ganja and on seeing the police the petitioner ran away from the scene of occurrence. The petitioner is the owner of the contraband. He would further submit that there is one previous case pending against the petitioner u/s 379 of IPC. Hence, he vehemently opposed for grant of Anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the above submission so made by the Additional Public Prosecutor that the petitioner has one previous case to his credit, this Court is not inclined to grant bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

-sd/-
24/08/2020

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 JUDICIAL MAGISTRATE,
TAMBARAM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE, सत्यमेव जयते
S-6 SANKAR NAGAR POLICE STATION,
CHENNAI.

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

CRL OP.12945/2020

Date :24/08/2020

cs 09/09/2020