

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.14195 of 2020

Ayyampillai

... Petitioner

Vs.

State Represented by  
The Inspector of Police,  
NIB CID Police Station,  
Kanchipuram.  
Crime No.6 of 2019.

... Respondent

**PRAYER:** Criminal Original Petition is filed under Section 439 of the Code of Criminal Procedure, to release the petitioner/accused on bail in Crime No.6 of 2019 on the file of the respondent police.

For Petitioner : Mr.M.Jagadeesh Pandian

For Respondent : Mr.S.Karthikeyan  
Additional Public Prosecutor

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 20.10.2019 for the offences punishable under Sections 8 (c) r/w 20(b) (ii), (C) 25 and 29 (i) (a) of NDPS Act in Crime No.6 of 2019 dated 15.02.2019 on the file of the respondent police, seeks bail.

2. Heard both sides.

3. The case of the prosecution is that the petitioner along with the other accused were found in possession of 150 kgs of Kanja. Hence the complaint.

4. The learned counsel for the petitioner would submit that the petitioner is in no way connected with the alleged offence and that he has been falsely implicated in this case. Therefore, he prays to grant bail to the petitioner.

5. The learned Additional Public Prosecutor would submit that the petitioner along with the other accused involved in dealing with 150 kgs of Kanja. He would further submit that there are previous cases against the petitioner. Hence, he vehemently opposed to grant bail to the petitioner.

6. Taking into consideration the allegations and also the bad antecedent of the petitioner. It is also seen from the records that the quantum of contraband is a commercial one and there is a categorical bar under Section 37 of NDPS Act. Further, the petitioner failed to satisfy this Court to get over the bar under Section 37 of NDPS Act. Further, this Court already dismissed the earlier petition filed by the petitioner by an order dated 04.05.2020 in Crl.O.P.No.3587 of 2020 and there is no change in circumstance. Therefore, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-  
30/09/2020

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 COURT FOR EC & NDPS  
ACT CASES, CHENNAI.

2 THE INSPECTOR OF POLICE,  
NIB CID POLICE STATION,  
KANCHIPURAM.

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,  
CENTRAL PRISON, MADURAI.

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

CRL OP.14195/2020

Date :30/09/2020

TA-06/11/2020