

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.10.2020

CORAM :

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

Crl.O.P.No.14657 of 2020

Babu @ Black Babu

... Petitioner

Vs.

The State, represented by
Inspector of Police
Mettupalayam Police Station,
Coimbatore - District
(Crime No.1030 / 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner/accused on bail pending investigation in Crime No.1030 of 2020 on the file of the respondent.

For Petitioner : Mr.I. Periaswamy

For Respondent : Mr.S.Thankira
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 20.08.2020 for the offence punishable under **Sections 8 (c) read with 20(b) (ii) (B) of NDPS Act, in Crime No.1030 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 20.08.2020, the petitioner was found in possession of 1,200 Kgs of kanja. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case since he involved in other cases. He would further submit that the petitioner was arrested when he was attending his friend's mother funeral. He would further submit that the petitioner has been suffering incarceration from 20.08.2020. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (CrI. Side) appearing for the respondent police would vehemently oppose stating that the petitioner is a habitual offender against whom eight previous cases pending at Mettupalayam police station as listed below;

S.NO.	Crime Numbers	Offence
1	Cr.No.433 of 2010	Sec.379 IPC
2	Cr.No.434 of 2010	Sec.379 IPC
3	Cr.No.443 of 2010	Sec.392 and 379 IPC
4	Cr.No.444 of 2010	Sec.379 IPC
5	Cr.No.198 of 2014	Sec.307 IPC and 3 TNPPDL Act
6	Cr.No.199 of 2014	Sec.392, 397 IPC
7	Cr.No.451 of 2015	5 r/w 7(1) CL Act
8	Cr.No.536 of 2018	Sec.392 IPC

5. Taking in to consideration the nature of offence and the fact that the petitioner is a habitual offender and has involved in several cases, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

01/10/2020

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 SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
METTUPALAYAM POLICE STATION,
COIMBATORE-DISTRICT.

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

CRL OP.14657/2020

Date :01/10/2020

MK:12/10/2020



WEB COPY