

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.18021 of 2020

Suma

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Krishnagiri Town Police Station
Krishnagiri
(Crime No.1006 of 2020) ...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioner on bail in the event of his arrest in Crime No.1006 of 2020 pending on the file of the respondent police.

For Petitioners : Mr.M.Manimaran

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

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 8(c) r/w 20(b)(ii) (B) of NDPS Act, in Crime No.1006 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in possession of 3 kgs and 500 grams of ganja and on seeking the police he ran away from the scene of occurrence.

3. The learned counsel for the petitioner would submit that this the second application for anticipatory bail. He would further submit that earlier application in Crl.O.P No.16670 of 2020 was dismissed by this Court on 16.10.2020. He would further submit that the petitioner is a lady and the alleged two wheeler and the contraband were recovered and the said two wheeler does not belong to her. He would further submit that since she pleaded guilty, she was convicted in the earlier case and she has paid the fine amount. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor vehemently opposed stating that the petitioner is an habitual offender and she had been convicted in the earlier case. He would further submit that though the scooter does not belong to her, the petitioner is the owner of the contraband and she is habitually involved in the offences.

5. Taking into consideration the fact that the petitioner is an habitual offender, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

11/11/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
KRISHNAGIRI TOWN POLICE STATION,
KRISHNAGIRI.

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

CRL OP.18021/2020

Date :11/11/2020

RVR 01/12/2020

सत्यमेव जयते

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