



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/02/2020

WEB COPY

PRESENT

The Hon'ble Mr. Justice G.R. SWAMINATHAN

CRL OP(MD) . No.2409 of 2020

Vinothkumar

... Petitioner/Sole Accused

Vs

The State Rep. by
The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
Cr.No.343 of 2019.

... Respondent/Complainant

For Petitioner : M/s.K.M.Karunakaran,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

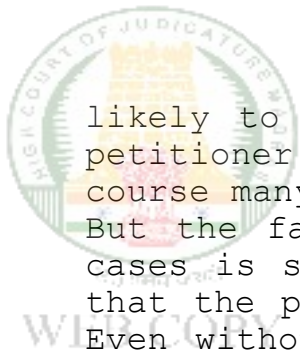
For Bail in Crime No.343 of 2019 on the file of the Respondent Police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 19.12.2019 for the offences under Section 22(C) of Narcotic Drugs Psychotropic Substance Act in Crime No.343 of 2019 on the file of the respondent police. Hence, he seeks bail.

3. Commercial quantity of ganja is involved in this case. The petitioner's counsel raised quite a few submissions. Even if this Court assumes that this Court can come to the conclusion that the petitioner is not likely to have committed the offence in question, still, this Court cannot give any finding that the petitioner is not



likely to commit any offence while on bail. This is because the petitioner got himself involved in as many as 26 cases so far. Of course many of them ended in acquittal while some are still pending. But the fact that the petitioner was implicated in as many as 26 cases is sufficient to restrain this Court from giving any finding that the petitioner is not likely to commit offence while on bail. Even without going to first limb of the test, since this Court in any event cannot give a favourable finding as regards the second test, I am not inclined to grant relief and the criminal original petition stands dismissed.

sd/-
13/02/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPPALLI.
2. THE INSPECTOR OF POLICE,
KUMBAKONAM WEST POLICE STATION,
THANJAVUR DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.2409 of 2020
Date :13/02/2020

IAS
TE/JC/SAR-I : 19/02/2020 : 2P/4C