

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.02.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

Crl.O.P.No.1326 of 2021

Hemanth @ Hemathramkumar

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
T1 Ambattur Police Station
Chennai.
(Crime No.1979 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest in Crime No. 1979 of 2020 pending investigation on the file of the Respondent.

For Petitioner : Mr.D.Pandarinath

For Respondent : Mr.S.Karthikeyan
Addl. Public Prosecutor

ORDER

(The case has been heard through video conference)

Totally, there are three accused and the petitioner is arrayed as A3. He apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(c), 20(b) (ii) (B) of NDPS Act in Crime No. 1979 of 2020, on the file of the respondent police, and now, they have filed this petition seeking to grant anticipatory bail.

2. The case of the prosecution is that the petitioner is the wholesale ganja dealer and he has only engaged A1 and A2 for selling ganja. They were arrested by the respondent police and based on their confession, the petitioner was implicated as accused. Hence, the criminal case has been registered against the petitioner. Now, apprehending arrest, the present petition has been filed seeking for anticipatory bail.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the offence. He would submit that he has been falsely implicated as accused in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner is the main man and he is only a dealer of Ganja. He would submit that the petitioner has only engaged A1 and A2 for selling ganja and 7 kgs. of ganja was seized from A1. He would also submit that he is having one previous case. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the fact that the petitioner is a main accused, he is the dealer of ganja, he has only engaged A1 and A2 to sell ganja and he is having one previous case against him, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
02/02/2021

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 COURT,
AMBATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
T1-AMBATTUR POLICE STATION,
CHENNAI.

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

CRL OP.1326/2021

Date :02/02/2021

MN-05/02/2021

<https://hcservices.ecourts.gov.in/hcservices/>