

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2021

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.OP.No.8090 of 2021

Suma (M/27 years),
S/o Thimmarayan@ Raja

... Petitioner

Vs.

The 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 Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.1006 of 2020 on the file of the respondent police.

For Petitioner : Mr.S.Senthilvel

For Respondent : Mr.L.Charles Premkumar
Government Advocate

O R D E R

(This case has been heard through video conference)

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(c), r/w 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, in Crime No.1006 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant Jayakeerthi, Sub Inspector of Police is that on 13.07.2020, on information she along with her police party was conducting vehicle check up. At that time, a lady had come in a two wheeler Honda Dio bearing Regn.No.TN 70 S 3832 with a yellow colour bag. When the police party had attempted to apprehend her, she had dropped the two wheeler along with the bag and escaped from the scene of occurrence. On search, the bag was found to contain 3.500 kgs. of Ganga following which, the contraband and two wheeler were seized from the spot. Hence, the complaint.

3. The learned Counsel for the petitioner would submit that this is the 4th application for anticipatory bail and the earlier applications for anticipatory bail were dismissed by this Court in Crl.O.P.No.16607 of 2020 dated 16.10.2020, Crl.O.P.No.18021 of 2020 dated 11.11.2020 and in Crl.O.P.No.1615 of 2021 dated 08.02.2021. He would further submit that the two wheeler alleged to have been recovered from the scene of occurrence does not belong to the petitioner and that the petitioner has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate would submit that the petitioner is a habitual offender. He would submit that the petitioner had pleaded guilty in the earlier case and she has been convicted and though the Scooter does not belong to the petitioner, the petitioner is the one who was riding the two wheeler and that she has been brought to the adverse notice for having habitually involved in the offences. He would submit that after the dismissal of the earlier application, there is no change in circumstances. Hence, he vehemently opposed for grant of Anticipatory bail to the petitioner.

5. Taking into consideration of the quantity of contraband involved in this case and the submission so made by the learned Government Advocate that the petitioner is a habitual offender and that there is no change in circumstances after the dismissal of the earlier application, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

-sd/-
30/04/2021

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-1
KRISHNAGIRI.

2 THE INSPECTOR OF POLICE
KRISHNAGIRI TOWN POLICE STATION, KRISHNAGIRI

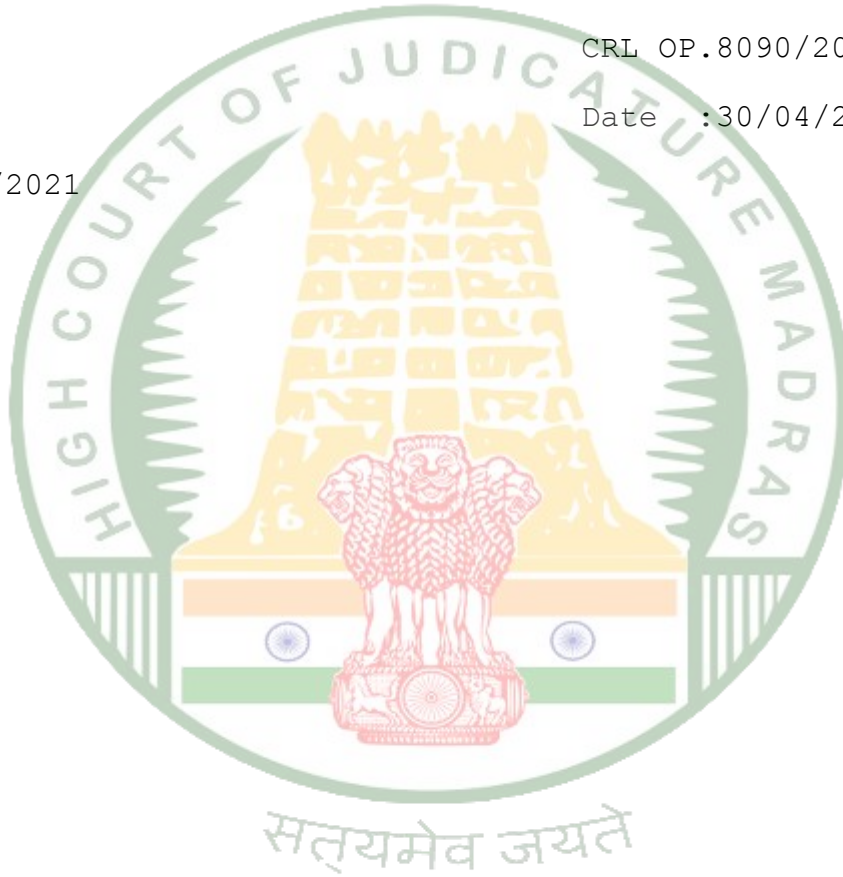
3 THE PUBLIC PROSECUTOR
HIGH COURT, CHENNAI.

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

CRL OP.8090/2021

Date :30/04/2021

SRG 24/06/2021



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