

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.05.2021

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.No.8575 of 2021

Abinesh

... Petitioner

Vs.

State represented by
The Inspector of Police,
NIB-CID Police Station,
Chennai.
(Crime No.10 of 2020)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioners on bail in Crime No.10 of 2020 on the file of the respondent.

For Petitioner : Mr.G.Murugendran

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. side)

ORDER

The petitioner who was arrested on 29.02.2020 and remanded to judicial custody for the offences under Sections 8(c), 20(b) (ii) (C) and 29(1) of NDPS Act, 1985 in Cr.No.10 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of 8 kgs of Ganja. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is in possession of only 8 kgs of Ganja and it does not fall under the commercial quantity as per Section 20 (ii) B of the NDPS Act. Therefore, he prays grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) vehemently opposed grant of bail by stating that the petitioner was in possession of 26 Kgs of Ganja which is a commercial quantity. He further submits that the case is still at the investigation stage and hence he oppose to grant bail to the petitioner.

5. Considering the submission of the learned Government Advocate that investigation is still pending and if the petitioner is released on bail he may hamper investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
26/05/2021

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 PRINCIPAL SPECIAL JUDGE,
PRINCIPAL SPECIAL COURT UNDER EC & NDPS ACT,
CHENNAI-600 104.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
NIB-CID, POLICE STATION,
CHENNAI.

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

CRL OP.8575/2021

Date :26/05/2021

cs 23/06/2021