

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixteenth day of June Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.10504 of 2021

IN C.C.NO.110 OF 2020

[ON THE FILE OF THE ADDITIONAL DISTRICT JUDGE/
SPECIAL COURT FOR EC ACT CASES, MADURAI]

PARTHASARATHY

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
NIB - CID,
COIMBATORE.
CR.NO.40/2020

[RESPONDENT]

For Petitioner : M/S.M.SHAHJAHAN Advocate

For Respondent : M/S. A.GOPINATH, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner was arrested on 10.06.2020 for the alleged offences under Sections 8(c) r/w 20 (b)(ii) (c) and 25 of Narcotics Drugs and psychotropic Substances Act, 1985 in Crime No.40 of 2020, on the file of the respondent/Police, seeks bail.

2. The case of the prosecution is that on, the respondent police on specific information went to the check post and intercepted a lorry and found the petitioner was in possession of 200 kgs of Ganja. Hence, the complaint was registered.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that in the Mahazar it was seen that the petitioner was in possession of 25 kgs of Ganja and in the F.I.R it has been stated that the petitioner was in possession of

200 kgs of Ganja. Hence there was a contradiction between the Mahazar and the F.I.R, Therefore, it is clear that the respondent police has registered a false case against the petitioner. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner was in possession of 200 kgs of Ganja which is of huge quantity. He would further submit that mere contradiction between the Mahazar and the F.I.R may not be a ground for the petitioner to seek bail. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Considering the fact that the quantity of contraband seized was 200 kgs which is of commercial quantity, this court is not inclined to grant bail to the petitioner.

6. Accordingly, this criminal original petition is dismissed.

-sd/-

16/06/2021

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 ADDITIONAL DISTRICT JUDGE/
SPECIAL COURT FOR EC ACT CASES,
MADURAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
NIB - CID, COIMBATORE.

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

CRL OP.10504/2021

Date :16/06/2021

cs 30/06/2021