



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Twenty Ninth day of June Two Thousand Twenty One
PRESENT

WEB COPY

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION NOS.11101 & 11087 OF 2021

SELVAM [PETITIONER / ACCUSED
IN CRL.OP.NO.11101 OF 2021]

SHANKAR [PETITIONER / ACCUSED]
IN CRL.OP.NO.11087 OF 2021]

Vs

THE STATE REP.BY [RESPONDENT
THE INSPECTOR OF POLICE, IN BOTH THE PETITIONS]
P-1, PULIANTHOPE POLICE STATION,
CHENNAI.
CRIME NO.1169/2020

For Petitioner : M/S. M.PRAKASH Advocate
[IN CRL.OP.NO.11101 OF 2021]

For Petitioner : M/S S.SENTHILVEL Advocate
[IN CRL.OP.NO.11087 OF 2021]

For Respondent : MR.A.GOPINATH Govt. Advocate (Crl. Side)
[IN BOTH THE PETITIONS]

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who was arrested on 03.10.2020 and remanded to judicial custody for the offences punishable under Sections 8(c) read with section 20(b)(ii)(B), 25, 29(1) of NDPS Act in Crime No.1169 of 2020 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners along with other accused persons were found in possession of 25 Kg. 500 gms of Ganja and the same was recovered by the respondent police and registered a case against the petitioners.

3. The learned Counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and a false case has been foisted against them. The learned counsel further submitted that co-accused (A3) has been arrested and enlarged on bail. Hence, he prays for grant bail to the petitioners.



4. The learned Government Advocate submitted that the respondent police has recovered 1.5 kgs. of Ganja from A3, which is not commercial quantity and there is also no previous case pending against A3. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. It is seen from the submission of the learned Government Advocate that A3 has no previous case and the contraband recovered from A3 is not commercial quantity. Hence, this Court granted bail to him. The same ground will not be applicable to these petitioners. The respondent police seized the contraband from these petitioners, which is commercial quantity. Hence, this Court is not inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
29/06/2021

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 INSPECTOR OF POLICE,
P-1, PULIANTHOPE POLICE STATION,
CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,
CHENNAI.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL II,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL.OP.NOS.11101 & 11087 OF 2021

Date :29/06/2021

MK:19/07/2021