

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.01.2021

CORAM :

THE HON'BLE MR. JUSTICE V.BHARATHIDASAN

CrI.O.P.No.17329 of 2020

Ahamed Mustafa,

... Petitioner

Vs.

State rep. by
Inspector of Police,
H-6 Police Station,
R.K.Nagar,
Chennai-600 021.
(Crime No.1138 of 2019)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code praying to enlarge the petitioner on bail in the event of his arrest in Crime No.1138 of 2019 pending investigation on the file of the Respondent.

For Petitioner : M/s.Shaikh Mehrunnisa

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

O R D E R

(The case has been heard through video conference)

The petitioner apprehends arrest at the hands of the respondent police for the alleged offence under Sections 8(c), 20(b)(ii)(B) of NDPS Act, 1985 in Crime No.1138 of 2019 on the file of the respondent police, and he has filed the above petition seeking for anticipatory bail.

2. Today, when the matter was taken up for hearing, the learned counsel appearing for petitioner would submit that at the time of occurrence, the petitioner was at his native place Mana Madurai and he has been falsely implicated in this case. To support the same, she has filed two photographs taken by the petitioner in the mobile phone showing that the petitioner was at Virudhunagar. The learned counsel would also submit that this is the second anticipatory bail application.

3. Considering the facts and circumstances of the case, the petitioner is pleading to grant anticipatory bail application for an offence under the NDPS Act, for possessing of ganja weighing 1.20 kgs. Now, the petitioner pleads alibi that he is at his native place on the date of occurrence, and plead his innocence by producing photographs. Based on those photographs, at this stage, this Court cannot decide whether the petitioner was not available at Chennai on the date of occurrence, and this is not a fit case to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
06/01/2021

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 STATE
INSPECTOR OF POLICE, H-6 POLICE STATION, R.K.
NAGAR, CHENNAI-21.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

WEB COPY

CRL OP.17329/2020

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Date :06/01/2021