



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

Monday, the Fifteenth day of November Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION Nos.16113 & 19451 of 2021

MOHAMMED AFSAL

[PETITIONER/ACCUSED IN
CRL.OP.No.16113/2021]

PARTHIBAN

[PETITIONER/ACCUSED IN
CRL.OP.No.19451/2021]

Vs

THE STATE REP.BY
INSPECTOR OF POLICE,
SAIBABA COLONY POLICE STATION,
COIMBATORE.
CR.NO.424 OF 2021.respectively

[RESPONDENT IN BOTH THE
PETITIONS]

For Petitioner : M/S. DEEPAN UDAY Advocate [IN CRL.OP.No.16113/2021]
M/S. R.POORNIMA Advocate [IN CRL.OP.No.19451/2021]

For Respondent : MR. N.S.SUGANTHAN, Govt. Advocate (Crl. Side)
[IN BOTH THE PETITIONS]

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioners who were arrested and remanded to judicial custody on 23.06.2021 for the offence under Section 328 of IPC and Section 22(c) of Narcotic Drugs and Psychotropic Substances Act 1985, in Crime No.424 of 2021, seek bail.

2.The case of the prosecution is that the accused were found in illegal possession of Tydol 100 mg tablets and injections for selling the same in and around the area for intoxication. Hence, the complaint.

3.The learned counsels appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case and that they have been suffering incarceration for more than 140



days from 23.06.2021. Hence, he prays for grant of bail to the petitioners.

4. The learned Government Advocate raised strong objection stating that the accused were found in illegal possession of Tydol 100 mg tablets for selling the same same for intoxication. Insofar as the petitioner in Crl.O.P.No.16113 of 2021 is concerned, he is arrayed as A4 and he was found in illegal possession of 10 nos. of Tydol 100 mg tablets and 3 injection needles. Insofar as the petitioner in Crl.O.P.No.19451 of 2021 is concerned, he is arrayed as A2 and he was found in illegal possession of 600 nos. of Tydol 100 mg. Tablets and the chemical report is awaited and that the investigation is still pending.

5. Considering the nature of offence and the fact that the chemical report is awaited and the investigation is still pending, this Court is not inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petitions are dismissed.

-sd/-

15/11/2021

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 SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

2 INSPECTOR OF POLICE,
SAIBABA COLONY POLICE STATION,
COIMBATORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.Nos.16113 & 19451 of 2021

Date :15/11/2021

RVR 23/11/2021