



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twentieth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19338 of 2021

PRABHAKARAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
PADALAM POLICE STATION,
PADALAM,
CHENGALPET DISTRICT

[RESPONDENT]

CRIME NO.534 OF 2021 DATED 28.08.2021

For Petitioner : M/S.C.ARUN KUMAR Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)

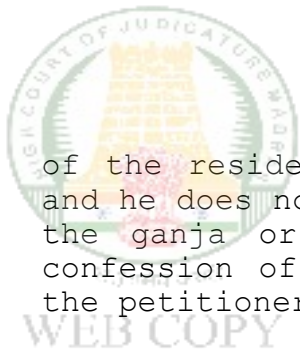
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 28.08.2021 for the punishable offences under Section 8(c), 20(b) (ii) (C) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.534 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that during the course of investigation, the respondent police herein seized 61.400 kgs of ganja from the rented residence of accused persons/petitioner's house. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case and the petitioner is in jail from 28.08.2021. He further submits that the petitioner is the owner



of the residential property where the alleged ganja had been seized and he does not have any knowledge whether the other accused have kept the ganja or not. The petitioner was arrested only based on the confession of the co-accused. Therefore, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that the respondent police herein seized 61.400 kgs of ganja from the rented residence of accused persons/petitioner's house and the quantity involved in this case is a commercial quantity. He further submits that the petitioner's earlier bail petition was dismissed by the Principal Special Judge, Principal Special Court Under Essential Commodities Act, Chennai on 04.10.2021 in Crl.MP.No.2430 of 2021. He further submits that the petitioner/A9 had knowledge of the hoarding of the ganja during the past 1½ years in his rental premises for the purpose of sale of the said contraband yet the petitioner did not inform about the same to the police and had let out premises for rent. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Considering the submissions made by both counsel and also considering the fact that the quantity involved in this case is a commercial quantity and in view of the bar under Section 37 of NDPS Act for grant of bail, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
20/10/2021

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
PADALAM POLICE STATION,
PADALAM, CHENGALPET DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON AT PUZHAL.



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.ARUN KUMAR Advocate on payment of necessary charges

CRL OP.19338/2021

Date :20/10/2021

JPA 16/11/2021