



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

Tuesday, the Twenty Sixth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19985 of 2021

PANDIYAN

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ARAMBAKKAM POLICE STATION,
THIRUVALLUR DISTRICT.
(CRIME NO.1497 OF 2020)

[RESPONDENT]

For Petitioner : M/S.K.JOTHISIVAM 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 24.12.2020 for the offences under Section 8(c) r/w 20(b) (ii)(c), 29(1) of NDPS Act 1985 in Crime No.1497 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 24.12.2020 at 2.30p.m., the respondent police during vehicle checking intercepted the bus which was coming from Andhra at Elavur Check Post, they found that the petitioner along with another accused were in illegal possession of 24 kgs of ganja and the same was seized from them and arrested them. Hence, the law enforcing agency registered the case against the petitioner.

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 24.12.2020. He further submits that the individual quantity alleged to have seized from the petitioner is 12 kgs which is not a commercial quantity. Therefore, he prays to grant bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submits that both accused conspired together and in furtherance of that conspiracy they purchased 24 kgs of ganja and divided the same into 12kgs each and so the total quantity of 24 kgs of ganja together recovered from them comes under the category of commercial quantity. Hence he vehemently opposed for grant of bail to the petitioner.

5. Considering the submissions made by both counsel and also the fact the quantum of ganja is of commercial quantity. Hence, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
26/10/2021

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,
ARAMBAKKAM POLICE STATION,
THIRUVALLUR DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.19985/2021

Date :26/10/2021

CSK 11/11/2021