



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixteenth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.1926 of 2022

T.DURAIRAJA

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
NIB-CID POLICE STATION,
24, PANTHEON ROAD,
KOMALEESWARANPET, EGMORE,
CHENNAI 600008.
(CRIME NO.4 OF 2021)

[RESPONDENT]

For Petitioner : M/S R.THANGAMANI Advocate

For Respondent : MS.G.V.KASTHURI Additional Public Prosecutor

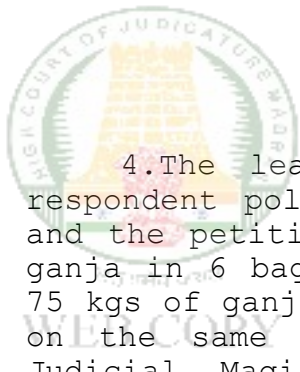
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 22.01.2021 for the offences under Sections 8(C), 20(b)(ii) (C), 25, 29(1) of NDPS Act, 1985 in Crime No.4 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 21.01.2021, the petitioner was found in possession of 75 kgs of ganja while he was traveling in Hondai Verna Car bearing registration No.TN 07 BP 4224. Hence, the respondent police registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner is in the judicial custody from 22.01.2021 and therefore, he prayed for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent police raised objections stating that on 21.01.2021, A-1 and the petitioner/A-2 were found in total possession of 155 kgs of ganja in 6 bags, in which the petitioner was found in possession of 75 kgs of ganja. She would submit that the contraband were seized and on the same day and the same were produced before the learned Judicial Magistrate, Madavaram. She would further submit after completing investigation, the charge sheet has been laid and the same is taken on file in C.C.No.172 of 2021 on the file of the I Additional NDPS Court, Chennai.

5. The submissions made by the learned Counsel on either sides are considered.

6. Though, the learned Counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case, considering the nature of offence committed by the petitioner and the quantity of contraband involved in this case and also considering that the fact that the trial is pending before the Court below, if this petitioner is released on bail, he may try to tamper the witness. Hence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

16/02/2022

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

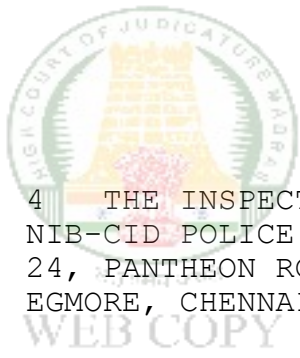
Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
MADAVARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR DISTRICT [FOR INFORMATION]

3 THE I ADDITIONAL NDPS COURT,
CHENNAI.



4 THE INSPECTOR OF POLICE,
NIB-CID POLICE STATION,
24, PANTHEON ROAD, KOMALEESWARANPET,
EGMORE, CHENNAI 600008

5 THE SUPERINTENDENT,
CENTRAL PRISON-II, PUZHAL, CHENNAI.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.1926/2022

Date :16/02/2022

CSK 22/02/2022