



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Fourth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.1462 of 2022

MOHAN RAJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
NIB CID POLICE STATION,
CHENNAI.
(CRIME NO.28/2021)

[RESPONDENT]

For Petitioner : M/S.R.GIRIJA Advocate

For Respondent : MR.A.GOKULAKRISHNAN Additional Public Prosecutor

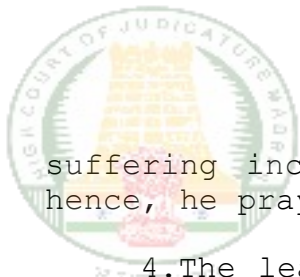
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who was arrested and remanded to judicial custody on 22.09.2021 for the offences under Sections 8(c) 20(b) (ii) (C) 25, 29(1) of Narcotic Drugs and Phychotropic Substances Act 1985 in Crime No.28 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that On 22.09.2021 on an secret information, the respondent police was on watching duty at Madhavaram Bus Terminal. At that time, two cars came that side on suspicious manner and on checking, it was found that Ganja weighing 110 kgs were found in the vehicle and 6 of them who were available in the car were arrested and the contraband ganja were recovered and two cars involved in this case were seized. Hence, the complaint.

3.The learned counsel for the petitioners submits that the petitioners are no way connected with the alleged offence and they have been falsely implicated in this case. He further submits that on 22.09.2021, the petitioner was called by the other accused to go to Thirupathy temple and he also accepted their request and went as a Driver with them and he has no knowledge about the storage of ganja in the vehicle. He would further submit that the petitioner has been



suffering incarceration for more than 4 months from 22.09.2021 and hence, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would raise strong objection stating that the contraband involved is commercial quantity category which attracts Section 37 of NDPS Act.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering the contraband involved in this case is 110 kgs of ganja, the same is commercial quantity which attracts 37 of NDPS Act, this court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

24/01/2022

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 INSPECTOR OF POLICE,
NIB CID POLICE STATION,
CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.V.VIVEK Advocate on payment of necessary charges
SR.No.1156

CRL OP.1462/2022

Date :24/01/2022

CSK 08/02/2022