



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Third day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.3387 of 2022

IN

C.C.NO.91 of 2020

IN

IN NCB F.NO.48/1/03/2020-NCB/MDS

(On the file of the Special Judge, I additional Special Court Exclusive
Trail of cases under NDPS Act, Chennai)

SUJANTHAN

[PETITIONER / ACCUSED]

Vs

UNION OF INDIA [RESPONDENT]
REPRESENTED BY INTELLIGENCE OFFICER,
NARCOTICS CONTROL BUREAU,
CHENNAI ZONAL UNIT,
CHENNAI.

For Petitioner : M/S. S.THAMIZHARASI Advocate

For Respondent : MR.N.P.KUMAR Special 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 14.02.2020 for the offences under Section 8 (c) r/w 22(c), 28 & 29 of the NDPS in R.RNo.06 of 2020 in CrI.MP.No.1190 of 2021 in C.C.No.91 of 2020 in NCB.F.No.48/1/03/2020-NCB/MDS on the file of the Special Judge of 1st Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai, seeks bail.



2. The petitioner herein is arrayed as A3 in a case where 5 kgs of Methamphetamine was seized on 13.02.2020.

3. The learned counsel for the petitioner would submit that for the past one year, he is languishing in the prison and he is in no way connected with the crime. Hence, he prays to grant bail to the petitioner.

4. The case of the respondent is that based on the specific information, the premises of A1 and A2 was searched and at that time, this petitioner was present with A1, A2, A4 and 5 kgs of Methamphetamine was seized from their possession. The investigation discloses that this petitioner has transported the contraband from Poonamallee to the place of seizure and he as a carrier wanted a sum of Rs.10,000/- per kg.

5. The learned Special Public Prosecutor has opposed to grant bail to the petitioner on the ground that the petitioner is a Srilankan and have no routes. Further, the quantity of contraband seized is a commercial quantity and if the petitioner is released on bail, he may not be available for further trial.

6. On perusal of the documents relied on by the prosecution, this Court finds that prima facie made against the petitioner for transporting and possessing psychotropic substance in the above commercial quantity and therefore, he has to satisfy Section 37 of this Act. However, the material does not give any satisfactory reasons for granting bail and since sufficient prima facie material is against the petitioner, this Criminal Original Petition is dismissed.

-sd/-

03/03/2022

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 SPECIAL JUDGE,
I ADDITIONAL SPECIAL COURT EXCLUSIVE TRIAL
OF CASES UNDER NDPS ACT, CHENNAI.



2 UNION OF INDIA
INTELLIGENCE OFFICER,
NARCOTICS CONTROL BUREAU,
CHENNAI ZONAL UNIT, CHENNAI.

3 THE SUPERINTENDENT,
PUZZHAL JAIL, CHENNAI.

4 THE SPECIAL PUBLIC PROSECUTOR FOR NCB CASES
HIGH COURT, MADRAS.

+1CC to M/S. S.THAMIZHARASI Advocate on payment of necessary
charges SR.No.3240

CRL OP.3387/2022

Date :03/03/2022

CSK 10/03/2022