



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Second day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5943 of 2022

IN

C.C.NO.174 of 2021

(On the file of the Special Judge, I Additional Special Court for
NDPS Act, Chennai)

1 SIVAKUMAR [PETITIONERS / ACCUSED]
2 AJITHKUMAR

Vs

THE INSPECTOR OF POLICE [RESPONDENT]
NIB CID KANCHEEPURAM,
CHENNAI.
(CRIME NO.5/2021)

For Petitioner : M/S.V.K.SATHIAMURTHY Advocate

For Respondent : M/S.G.V.KASTHURI Additional Public Prosecutor

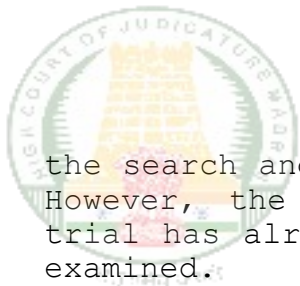
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are the accused No. 1 and 2 in a case under Sections 8(c) read with 20(b) (ii)(c) 29(1) of NDPS Act, 2021, seek bail.

2.The case of the prosecution is that these petitioners were found in possession of 26 Kgs of Ganja, which is a commercial quantity.

3.The learned counsel appearing for the petitioners would vehemently canvass that there is violation of mandatory provisions regarding the submission of the seized materials to the Court within 72 hours of the seizure and the samples drawn were not in consonance with Notification 1/89. Further, the other mandatory violations in



the search and seizure were also canvassed before the Court for bail. However, the learned Additional Public Prosecutor states that the trial has already commenced and the L.W.1 had already been partially examined.

4. This Court on perusal of the documents filed along with the bail petition and the violations pointed out by the learned counsel, is of the opinion that the same may not be dealt with the bail petition and it is open to the petitioners herein to canvass it before the trial Court, since the trial has already commenced and the same may be completed as expeditiously as possible. Accordingly, the criminal original petition for bail is dismissed.

-sd/-
22/03/2022

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 FOR NDPS ACT,
CHENNAI.

2 THE INSPECTOR OF POLICE
NIB CID KANCHEEPURAM, CHENNAI.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.5943/2022

Date :22/03/2022

CSK 25/03/2022