



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

Tuesday, the Fourteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.13107 of 2022

PALANIAMMAL

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
NIB CID, VILLUPURAM DISTRICT
CR.NO.12 OF 2021.

[RESPONDENT]

For Petitioner : M/S.T.BALACHANDRAN Advocate

For Respondent : MR.V.MEGANATHAN, 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 27.02.2021 for the alleged offences punishable under Sections 8(c) r/w Section 20(b)(ii)(c), and 29(i) of NDPS Act in Crime No.12 of 2021, on the file of the respondent Police, seeks bail.

2. The case of the petitioner is that initially, the Law Enforcing Agency had seized 2.100 kgs. of Ganja from Accused No.1. Based on his confession statement, the Law Enforcing Agency traced the premises of the petitioner/Accused No.2 and seized 23.400 kgs. of Ganja. Hence, the case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and no way connected with the alleged offence. He would further submit that already Accused No.1 was granted bail in CrI.O.P.No.10268 of 2021. Accordingly, he prays for grant of bail to the petitioner.



4. The learned Government Advocate (Crl. side) submitted that the quantity of Ganja (2.100 kgs.) seized from the Accused No.1 is not a commercial quantity, whereas the quantity of Ganja (23.400 kgs.) seized from the Accused No.1 is a commercial quantity. Further he submitted that there is no change in circumstances after the previous order was passed on merits. Hence, the learned Government Advocate vehemently opposed to grant bail to the petitioner.

5. It is seen from the records that this is the fifth bail petition filed by the petitioner. Earlier bail applications were dismissed by this Court on 29.04.2021, 02.09.2021 and 03.12.2021 in Crl.O.P.Nos.7599, 15785 and 23088 of 2021, respectively and Crl.O.P.No.11639 of 2021 was dismissed as withdrawn.

6. Considering the fact that the quantity of the contraband (2.100 kgs.) seized from Accused No.1 is not a commercial quantity, whereas, the quantity of the contraband (23.400 kgs.) seized from petitioner/Accused No.2 is a commercial quantity, further, there is no change of circumstances arises for considering the fifth bail petition, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original petition is dismissed.

-sd/-

14/06/2022

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 SUPERINTENDENT,
CENTRAL PRISON, VILLUPURAM

2 THE INSPECTOR OF POLICE,
NIB CID, VILLUPURAM DISTRICT

3 THE PUBLIC PROSECUTOR, HIGH COURT, MADRAS.

CC to M/S.T.BALACHANDRAN Advocate on payment of necessary charges

CRL OP.13107/2022

Date :14/06/2022

RVR 21/06/2022