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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7456 of 2022

IN

C.C.NO.107 of 2021

(On the file of the Learned Special Judge I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai)

SATHYANARAYANA [PETITIONER / ACCUSED]

Vs

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
M-4, REDHILLS POLICE STATION,
CHENNAI.
(CRIME NO.3886/2020)

For Petitioner : M/S.B.SHANKAR 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 petitioner herein is one among the six accused who was arrested for transporting 400.700 kgs of Ganja illegally from Andhra Pradesh concealed in the false chamber of lorry bearing Registration No.AP 16 TB 0041.

2. The learned counsel for the petitioner would submit that the petitioner is suffering from serious ailment and he is only a driver and not aware of the concealment of the Ganja in the false cavity.

3. However, the prosecution version is that the petitioner along with other accused knowingly have transported Narcotics drug from Andhra Pradesh to Tamil Nadu and the same was intercepted near the check post. Further the learned Government Advocate (crl.side) states

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that on completion of investigation, final report is filed and the same is taken on file of 1st Additional Special NDPS Court under EC & NDPS Act, Chennai in C.C.No.107 of 2021. The trial has commenced, summons to the witnesses have already been served and at this juncture, if the petitioner is released on bail, there is a possibility of abscondence and tampering the progress of the trial.

4. This Court finds force in the submission of the learned Government Advocate (crl.side), taking note of the facts that the contraband involved in this case is a commercial quantity, the prima facie evidence also collected, final report filed and the case is listed for trial, further the petitioner has no root in Tamilnadu and hails from Andhra Pradesh, therefore if bail is granted to this petitioner, he may hamper the progress of the trial.

5. Hence this Court is not inclined to grant anticipatory bail to the petitioner and the same is dismissed.

-sd/-
05/04/2022

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

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

TO

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

2 THE INSPECTOR OF POLICE,
M-4, REDHILLS POLICE STATION,
CHENNAI.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

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4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.B.SHANKAR Advocate on payment of necessary charges

CRL OP.7456/2022

Date :05/04/2022

CSK 12/04/2022

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