



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice P. VELMURUGAN

CRIMINAL ORIGINAL PETITION No.10729 of 2022

NAGARAJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
H-5 NEW WASHERMENPET POLICE STATION,
NEW WASHERMENPET,
CHENNAI 600081.
(CRIME NO.176/2022)

[RESPONDENT]

For Petitioner : M/S.S.APUNU 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, who was arrested and remanded to judicial custody on 15.03.2022 for the alleged offence punishable under Sections 8(c) 20(b) (II) (B) of NDPS Act, 1985 in Crime No.176 of 2022 on the file of the respondent/police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 1.150 kg of ganja.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he is in no way connected with the alleged offence. Since the petitioner is suffering from incarceration from 15.03.2022, the petitioner may be granted bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner was found in possession of 1.150 kg of ganja and two previous cases of similar nature are pending as against the petitioner and hence, she objects to grant bail to the petitioner.



5. Heard both sides.

6. Admittedly, the petitioner was arrested and remanded to judicial custody on 15.03.2022 for the alleged offence punishable under Sections 8(c) 20(b)(II)(B) of NDPS Act, 1985 and he is involved in two previous cases of similar in nature. The learned Additional Public Prosecutor is not in a position to inform this Court about the stage of the case. Since the petitioner is a habitual offender this Court is of the view that if the petitioner is released on bail, he will abscond or commit similar nature of offence.

7. Considering the fact that smuggling of ganja and other prohibited goods are endangerous to the youngsters in this country and in order to safeguard the younger generation, this Court is not inclined to entertain this type of nature of offence. Hence, this Court is not inclined to grant bail to the petitioner.

Accordingly, this Criminal Original Petition is dismissed.

-sd/-

05/05/2022

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,
H-5 NEW WASHERMENPET POLICE STATION,
NEW WASHERMENPET, CHENNAI 600081.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



3 THE SUPERINTENDENT,
CENTRAL PRISON-II, PUZHAL,
CHENNAI-600 066.

WEB COPY

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

CRL OP.10729/2022

Date :05/05/2022

CSK 09/05/2022