



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.10760 of 2022

AJITH KUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
MAYILADUTHURAI POLICE STATION,
MAYILADUTHURAI DISTRICT.
(CRIME NO. 298/2022)

[RESPONDENT]

For Petitioner : MR. U.KATHIRAVAN Advocate

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

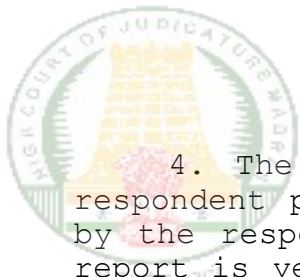
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner herein was arrested on 13.04.2022 and remanded to judicial custody on the same day for alleged offence under Section 8 (c) read with 20(b) (ii) (B) of NDPS Act, 1985, in Crime No.298 of 2022, seeks bail.

2. The case of the prosecution is that the petitioner had an unlawful possession of 1Kg 100 gms of ganja without any valid license or any permission from the competent authority or medical officer and the contraband was recovered by the respondent police at the time of his arrest.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner had moved a bail petition before the Additional District Judge / presiding officer, Special Court under EC Act at Thanjavur in CrI.M.P.No.2044 of 2022 and the same was dismissed on 26.04.2022. Now the present bail petition has been filed before this Court by the petitioner and seeks bail.



4. The learned Additional Public Prosecutor appearing for the respondent police would submit that 1Kg 100 gms of ganja was seized by the respondent police from this petitioner and chemical analysis report is yet to be received. She would also submit that no previous case is pending against this petitioner. Therefore, she opposed grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent police.

6. Though the petitioner has no previous case, if the petitioner is released on bail there is possibility of abscondence, tampering of witnesses and hampering the investigation. Considering the nature of offence and the fact that investigation is at preliminary stage and source from where the contraband was procured has to be traced out, this Court is not inclined to grant bail to this petitioner. Hence this Criminal Original Petitioner for bail 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 ADDITIONAL DISTRICT JUDGE
PRESIDING OFFICER, SPECIAL COURT UNDER EC ACT,
THANJAVUR.

2 THE INSPECTOR OF POLICE,
MAYILADUTHURAI POLICE STATION,
MAYILADUTHURAI DISTRICT.

3 THE OFFICER INCHARGE
SUB JAIL, MAYILADUTHURAI.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.10760/2022

Date :05/05/2022

CSK 13/05/2022