



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.10809 of 2022

JANSI

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
THIRUVANNAMALAI TOWN POLICE STATION,
THIRUVANNAMALAI DISTRICT.
CRIME NO.177 OF 2022.

For Petitioner : M/S.S.SILAMBUSELVAN 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 is the sole accused. The petitioner was arrested and remanded to judicial custody on 19.04.2022 and a case was registered in Crime No.177 of 2022 for the offences punishable under section 4(1)(a), r/w section 4(1-A)(ii) of TNP Act and section 8(c), 20(b)(ii)(A) of NDPS Act, 1985.

2. The case of the prosecution is that the respondent police who is the defacto complainant while on regular patrolling, found the petitioner with illegal possession of 5 Litres of I.D.Arrack and 40 grams of Ganja and subsequently arrested her and remanded to judicial custody and hence, the case.

3. Learned counsel for the petitioner would submit that the petitioner is an innocent and the case has been falsely foisted against her and she has been in the judicial custody since 19.04.2022. He would also submit that the petitioner had filed a petition for bail



before the learned Principal District and Session Judge, Thiruvannamalai in CrI.M.P.No.1391 of 2022 and the same was dismissed on 25.04.2022. Hence, he has filed the present petition before this Court for grant of bail to the petitioner.

4. Learned Additional Public Prosecutor appearing for the respondent vehemently objected the grant of bail to the petitioner stating that she was found in illegal possession of 5 Litres of I.D.Arrack and 40 grams of Ganja and there are five previous cases pending against the petitioner.

5. Heard the learned counsel and perused the material.

6. Admittedly, at the time of arrest, the petitioner was found in illegal possession of 5 Litres of I.D.Arrack and 40 grams of Ganja without any licence or permission from the competent authority and the alleged contraband was recovered by the respondent police. Considering the fact that the petitioner has previous cases of similar nature and the investigation is at preliminary stage, in order to find out the source from where the petitioner has got the said contraband, this Court is not inclined to grant bail to the petitioner as there is a possibility of abscondance, tampering the witnesses and hampering the investigation, if she is enlarged on bail.

7. In view of the above, 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,
THIRUVANNAMALAI TOWN POLICE STATION,
THIRUVANNAMALAI DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.SILAMBUSELVAN
charges

Advocate on payment of necessary

CRL OP.10809/2022

Date :05/05/2022

JPA 13/05/2022