



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11076 of 2022

M.YUVARAJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
S10, PALLIKARANAI POLICE STATION,
PERUMBAKKAM,
ST.THOMAS MOUNT DISTRICT.
CRIME NO.1426 OF 2021.

[RESPONDENT]

For Petitioner : M/S.G.ANANDARAJ Advocate

For Respondent : MR.A.DAMODARAN, 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 25.12.2021 at the hands of the respondent police for the offences punishable under Sections 8 (c) r/w 20 (b) (ii) (C), 25 of NDPS Act, 1985 in Crime No.1426 of 2021, seeks bail.

2. The case of the prosecution is that the petitioner and another accused were found in possession of 30 Kgs of Ganja illegally. Hence, a case was registered as against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is arrayed as A2. Even according to the Seizure Mahazar, the petitioner was not in possession of any contraband and as such the petitioner has got into case to succeed in the main case. Hence, he prays for grant of bail to the petitioner.

4. A perusal of the FIR and other revenue records revealed that the petitioner and the first accused were in possession of the contraband weighing about 30 Kgs.



5. The learned Additional Public Prosecutor submitted that the petitioner and first accused were in possession of 30 Kgs of Ganja. Therefore, the petitioner failed to fulfill the twin conditions as contemplated under Section 37 of the NDPS Act, 1985. Since, it is a commercial quantity, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
07/06/2022

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 INSPECTOR OF POLICE,
S10, PALLIKARANAI POLICE STATION,
PERUMBAKKAM, ST. THOMAS MOUNT DISTRICT.

2 THE SUPERINTENDENT,
PUZHAL JAIL, CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.G.ANANDARAJ Advocate on payment of necessary charges SR.NO.8688

CRL OP.11076/2022

Date :07/06/2022

JPA 14/06/2022