



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 Nos.11086, 11257 & 11526 of 2022

IN C.C.NO.84 of 2022

(On the file of the I Additional Special Court, Exclusive trial of
cases under EC and NDPS Act Cases, Chennai)
(IN CRL.O.P.Nos.11086 & 11257/2022)

DHANALAKSHMI

[PETITIONER / ACCUSED
IN CRL.O.P.No.11086 /2022]

MEGHALA

[PETITIONER / ACCUSED
IN CRL.O.P.No.11257 /2022]

NANDHAGOPAL

[PETITIONER / ACCUSED
IN CRL.O.P.No.11526 /2022]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
NIB CID POLICE,
CHENNAI
CRIME NO.28 OF 2021

[RESPONDENT
IN ALL THE PETITIONS]

For Petitioners : M/S.M.HUSSAINI BASHA Advocate
[IN CRL.O.P.Nos.11086 & 11257/2022]

M/S.V.VIVEK, Advocate
[IN CRL.O.P.No.11526/2022]

For Respondent : MR.A.DAMODARAN, Additional public Prosecutor
[IN ALL THE PETITIONS]



PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

WEB COPY

The petitioners, who were arrested and remanded to judicial custody on 22.09.2021 at the hands of the respondent police for the offences punishable under Sections 8 (c) r/w 20 (b) (ii) (C), 25 and 29 (1) of NDPS Act, 1985 in Crime No.28 of 2021, seek bail.

2. The case of the prosecution is that there are totally 6 accused in which the petitioners are arrayed as A1, A5 and A6. A1 is having 9 previous cases and all the cases are similar in nature and she is facing trial. All the petitioners have joint possession of contraband of 1100kgs and it is commercial quantity. Hence, the complaint.

3. The learned counsel for the petitioner/1st accused submitted that the petitioner/1st accused got renal failure and she is getting treatment time to time in the Government Hospitals. Therefore, she prayed for interim bail for one month for getting better treatment for her kidney.

4. The learned counsel for the petitioner/5th accused submitted that the petitioner is only a car driver and he is nothing to do with contraband which were possessed by the first accused. He also submitted that similarly placed accused who drove another car is arrayed as A3 and he was granted bail by this Court. As far as A6 is concerned, learned counsel for the petitioner/ 6th Accused submitted that she is a passenger in the car and she has nothing to do with the alleged possession of contraband by A1. She does not know what was in the car. The petitioner/A5 in CrI.O.P.No.11526 of 2022 is concerned, though he drove the car, he is not a professional driver and his car was not hired by A1. All the accused joined together and they were in possession of 1100kgs of Ganja. That apart, the first accused involved in several cases of similar offences. Therefore, the petitioners failed to fulfill the twin conditions as contemplated under Section 37 of the NDPS Act, 1985 and they are not entitled for bail. Further, even according to the petitioner/1st Accused, the petitioner was treated by the jail authorities in the Government hospitals and she is having treatment from time to time for her illness. Hence, this Court is not inclined to grant bail to the petitioners.



5. Accordingly, these Criminal Original Petitions are 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 I ADDITIONAL SPECIAL COURT
EXCLUSIVE TRIAL OF CASES UNDER EC AND NDPS
ACT CASES, CHENNAI.

2 THE INSPECTOR OF POLICE,
NIB CID POLICE,
CHENNAI.

3 THE SUPERINTENDENT,
CENTRAL PRISON, SPECIAL PRISON FOR WOMEN,
PUZHAI, CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI,
CHENNAI

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL Ops.11086,11257 & 11526/2022

Date :07/06/2022

JPA 10/06/2022