



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.11111 of 2022

MUNIYAMMA

[PETITIONER / ACCUSED]

Vs

STATE INSPECTOR OF POLICE
UDDANAPALLI POLICE STATION,
KRISHNAGIRI DISTRICT.
CRIME NO.38 OF 2022.

[RESPONDENT]

For Petitioner : M/S.S.SENTHILVEL 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 05.02.2022 at the hands of the respondent police for the offences punishable under Sections 8 (C) r/w 20 (b) (ii) (C) of NDPS Act, 1985 in Crime No.38 of 2022, seeks bail.

2. The case of the prosecution is that, petitioner/sole accused was found in possession of 26 Kgs of Ganja. Hence, a case was registered as against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is affected by palsy by her birth in her right side of the body. Therefore, the petitioner could not able to carry more than 5 Kgs of weight. He had also produced the medical disability certificate to show her 40% of permanent physical impairment. Therefore, the petitioner has been falsely implicated in this case and she never possessed any contraband as alleged by the prosecution and prays for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor submitted that the petitioner was in possession of 26 Kgs of Ganja and all the procedures were duly followed by the respondent while making search and sending the samples of contraband for analysis. 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.

5. 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
UDDANAPALLI POLICE STATION,
KRISHNAGIRI DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.11111/2022

Date :07/06/2022

JPA 16/06/2022