



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Tenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11345 of 2022

IN C.C.NO.144 of 2020

(Pending on the file of the Principal Special Judge, Principal
Special Court Under EC & NDPS Act, Chennai-600 104

RAMESH

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
NARCOTIC INTELLIGENCE BUREAU CID,
CHENNAI,
(CRIME NO.28 OF 2020)

[RESPONDENT]

For Petitioner : M/S.K.BALASUBRAMANIAM 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 09.06.2020 at the hands of the respondent police for the offences punishable under Sections 8(c), 20 (b)(ii)(C) & 25, 27-A and 29(1) of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.28 of 2020 in C.C.No.144 of 2020 pending on the file of the learned Principal Special Judge, Principal Special Court under EC & NDPS Act, Chennai - 600104, seeks bail.

2. The case of the prosecution is that there are nine accused in this case, petitioner herein is arrayed as A1. On 09.06.2020, based on the secret information the respondent police have found the petitioner herein with possession of 22 kilograms of ganja along with A2 to A4 in Auto without any valid permit. Hence the complaint.



3. The learned counsel for the petitioner would submit that the petitioner along with the three others were travelling in the auto and they were found in illegal possession of 22 Kilograms of Ganja. On the confession statement given by the A1, the other accused persons A5 to A9 were implicated as accused. The person who travelled in the Auto along with the petitioner, arrayed as A3 was granted bail by this Court in Crl.O.P.No.4194 of 2021 order dated 07.04.2021. The petitioner was arrested and remanded to judicial custody on 09.06.2020. For the past two years, petitioner is under incarceration. The trial is also yet to commence before the trial Court.

4. The learned Additional Public Prosecutor submits that the petitioner is the key person in possession of contraband weighing 22 kilograms of Ganja. That apart, the petitioner is having five previous cases. Now after completion of final report, the same has been taken as C.C.No.144 of 2020 by the trial Court.

5. On perusal of the bail Order granted by this Court, considering the fact that the A3 is a lady, who also travelled along with other accused persons. Whereas, the petitioner is concerned, the entire contraband was seized by the police from A1. The petitioner had also failed to comply the condition as contemplated under Section 37 of NDPS Act.

6. Since it is a commercial quantity, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition is dismissed.

-sd/-
10/06/2022

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 PRINCIPAL SPECIAL JUDGE
PRINCIPAL SPECIAL COURT UNDER
EC & NDPS ACT, CHENNAI-600 104



2 THE INSPECTOR OF POLICE,
NARCOTIC INTELLIGENCE BUREAU CID,
CHENNAI,

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.11345/2022

Date :10/06/2022

JPA 17/06/2022