



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Sixth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11433 of 2022

VIJAYAKUMAR

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
G-5, SECRETARIAT COLONY POLICE STATION,
CHENNAI.
CRIME NO.73 OF 2022.

For Petitioner : M/S.M.MATHAN RAJ Advocate

For Respondent : MR.A.DAMODARAN, Additional public Prosecutor

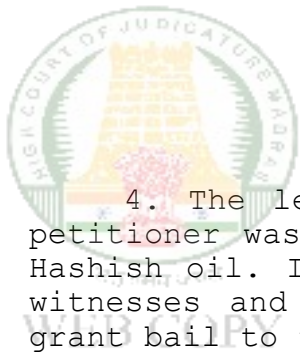
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 17.03.2022 for the offences punishable under Sections 8(c), 20(b) (ii)(B) & 28 of Narcotic Drugs and Psychotropic Substances Act, 1985 in crime No.73 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 17.03.2022, based on the secrete information, the respondent went to the pace of occurrence and found that the petitioner and other accused were found in illegal possession of 1.25 Kg of ganja and 10 Kgs of Hashish oil. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that false case has been foisted as against the petitioner and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner was arrested and remanded to judicial custody on 17.03.2022 and incarcerated for the past three months. Hence, he prays to grant bail to the petitioner.



4. The learned Additional Public Prosecutor submitted that the petitioner was found in possession of 1.25 Kg of ganja and 10 Kgs of Hashish oil. If the petitioner released on bail, he would tamper the witnesses and hamper the evidence. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that the petitioner was found in possession of alleged contraband and there are materials to attract the offence as against the petitioner herein. Therefore, the petitioner failed to satisfied the twin conditions under Section 37 of the NDPS Act. Taking consideration of the above facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petitions is dismissed.

-sd/-
06/06/2022

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,
G-5, SECRETARIAT COLONY POLICE STATION,
CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.11433/2022

Date :06/06/2022

JPA 13/06/2022