



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.11499,11994 & 12457 of 2022

KISHORE

[PETITIONER / ACCUSED
IN CRL.OP.NO.11499/2022]

KISHORE KUMAR

[PETITIONER / ACCUSED
IN CRL.OP.NO.11994/2022]

GOKULAN

[PETITIONER / ACCUSED
IN CRL.OP.NO.12457/2022]

Vs

STATE REP BY,
THE INSPECTOR OF POLICE,
R-2 KODAMBAKKAM POLCIE STATION,
CHENNAI DISTRICT.
(CR.NO.81/2022)

[RESPONDENT]
IN CRL.OP.NOs.11499&12457/2022]

THE INSPECTOR OF POLICE,
R-2 KODAMBAKKAM POLCIE STATION,
T.NAGAR,CHENNAI DISTRICT.
(CR.NO.81/2022)

[RESPONDENT]
IN CRL.OP.NO.11994/2022]

For Petitioner : M/S.C.PRABAKARAN Advocate
[IN CRL.OP.NO.11499/2022]

: M/S.S.N.ARUNKUMAR Advocate
[IN CRL.OP.NO.11994/2022]

: M/S.R.CHAKKARAVARTHY Advocate
[IN CRL.OP.NO.12457/2022]



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

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PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner in Crl.O.P.No.11499 of 2022, who was arrested and remanded to judicial custody on 17.03.2022 at the hands of the respondent police for the offences punishable under Sections 8 (c), 22 (a), 22 (c), 29 (1) of NDPS Act and 465, 468 and 472 of I.P.C. in Crime No.81 of 2022, on the file of the respondent Police, seeks bail.

2.The petitioner in Crl.O.P.No.11994 of 2022, who was arrested and remanded to judicial custody on 17.03.2022 at the hands of the respondent police for the offences punishable under Sections 8 (c), 22 (a), 22 (c), 29 (1) of NDPS Act, and 465, 468, 477 of I.P.C. in Crime No.81 of 2022, on the file of the respondent Police, seeks bail.

3.The petitioner in Crl.O.P.No.12457 of 2022, who was arrested and remanded to judicial custody on 18.03.2022 at the hands of the respondent police for the offences punishable under Sections 8 (c), 22 (a), 22 (c), 29 (i) of NDPS Act and 465, 468 and 472 of I.P.C. in Crime No.81 of 2022, on the file of the respondent Police, seeks bail.

4. The case of the prosecution is that there are totally 7 accused. Petitioners are arrayed as accused 4, 5 and 6. The first accused is the seller of the entire contraband and A2 is the supplier. A6 is the main person who placed order before the second accused and supplied it to all. The petitioners were found illegal possession of Nitrovet - 10 mg (150 tablets) and Tydol - 100 mg (100 tablets). Hence the complaint.

5. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they are no way connected with the alleged offence as alleged by the prosecution. Hence, he prays for grant of bail to the petitioners.

6. The learned Additional Public Prosecutor would submit that there are totally 7 accused. Petitioners are arrayed as accused 4, 5 and 6. The petitioners were found illegal possession of Nitrovet - 10 mg (150 tablets) and Tydol - 100 mg (100 tablets). Though they possessed separately of certain quantities, in total, all possessed contraband are commercial quantities. Hence, he vehemently opposed to grant bail to the petitioners.



7. Taking into consideration of the above facts and circumstances of the case and the petitioners were also in possession of the contraband and the twin conditions as contemplated under Section 37 of the NDPS Act are not satisfied before this Court, this Court is not inclined to grant bail to the petitioners.

8. 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 INSPECTOR OF POLICE,
R-2 KODAMBAKKAM POLICE STATION,
CHENNAI DISTRICT.

2 THE INSPECTOR OF POLICE
R-2, KODAMBAKKAM POLICE STATION,
T.NAGAR, CHENNAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL.OP.NOs.11499,11994&12457/2022

Date :07/06/2022

CSK 17/06/2022