



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Ninth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12116 of 2022

IN

C.C.NO.99/2021

(On the file of The Additional District Judge\Presiding Officer
Special Court for Essential Commodities Act Cases,Coimbatore)

KATHIRESAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
NIBCID, COIMBATORE.
(CR NO.33 OF 2021)

[RESPONDENT]

For Petitioner : M/S. T.N.RANGESHKANNA 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 22.07.2021 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.33 of 2021, seeks bail.

2. The case of the prosecution is that the petitioner and another accused were found in possession of 44 Kgs of Ganja illegally while travelling in the train. Hence, a case was registered as against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the offence as alleged by the prosecution. Hence, he prays for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor submitted that there are totally 2 accused in which the petitioner is arrayed as A2. He along with another accused were found in possession of 44 Kgs of Ganja while travelling in train and it is a commercial quantity. Therefore, the petitioner failed to fulfill the twin conditions as contemplated under Section 37 of the NDPS Act, 1985. Hence, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

09/06/2022

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 ADDITIONAL DISTRICT JUDGE/PRESIDING OFFICER,
SPECIAL COURT FOR ESSENTIAL COMMODITIES ACT CASES,
COIMBATORE.

2 THE INSPECTOR OF POLICE,
NIBCID, COIMBATORE.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to T.N.RANGESHKANNA Advocate on payment of necessary charges

CRL OP.12116/2022

Date :09/06/2022

CSK 16/06/2022