



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.12438 of 2022

NAKKARAMANA

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
N-1, ROYAPURAM POLICE STATION,
CHENNAI.
(CR.NO. 37 OF 2022)

[RESPONDENT]

For Petitioner : M/S. MOHAMMED AASIF 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/A1, who was arrested and remanded to judicial custody on 14.01.2022 at the hands of the respondent police for the offences punishable under Sections 8(c), 20 (b)(ii)(C) & 29(1) of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.37 of 2022, seeks bail.

2. The case of the prosecution is that on 14.01.2022 at about 02.45 p.m. on the telephonic information from the informant the respondent Police went to Old NRT Bridge Sridevi Karumari Amman Temple, and there the respondent Police seen five persons standing with a white colour gunny bags. On seeing the police party the accused persons tried to ran away from the spot and when the police were caught hold of them, they seized ganja with buds, leaf and seeds from them. A1 was found with possession of 33 kgs of ganja, A2 was found with possession of 32 kgs of ganja, A3 was found with possession of 31 kgs of ganja, A4 was found with possession of 30 kgs of ganja and A5 was found with possession of 34 kgs of ganja. Hence the complaint.



3. The learned counsel for the petitioner would submit that the petitioner who is arrayed as A1, is hailing from Andhra Pradesh. He further submitted that the petitioner has no previous case and the respondent Police had foisted a false case against the petitioner and the petitioner was never in possession of contraband as alleged by the prosecution.

4. On perusal of the counter filed by the respondent Police, it reveals that there are totally five accused. The petitioner is arrayed as A1, was found in possession of 33 kgs of Ganja. All the accused persons were jointly possessing 160 kgs of Ganja.

5. The petitioner herein failed to satisfy this Court with regard to the condition contemplated under Section 37 of NDPS Act. Therefore, this Court is not inclined to grant bail to the petitioner.

6. 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 INSPECTOR OF POLICE,
N-1, ROYAPURAM POLICE STATION,
CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.12438/2022

Date :10/06/2022

CSK 20/06/2022