



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13274 of 2022

1 ATHAN ALI BEK

[PETITIONERS / ACCUSED]

2 MOHAMMED SAMEER KHAN

Vs

STATE REP BY

[RESPONDENT]

INSPECTOR OF POLICE,

F4, THOUSAND LIGHTS POLICE STATION,

CHENNAI.

CRIME NO.45/2022.

For Petitioner : M/S.A.PONLINGAM Advocate

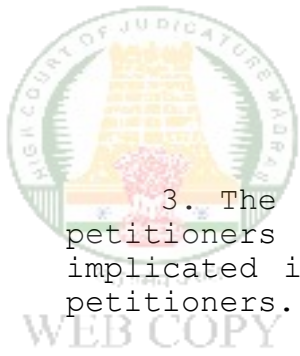
For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 26.03.2022 for the offences punishable under Section 8(C) r/w Sections 20(b)(ii)(B) and 22(b), 22(c) of NDPS Act and Section 25(1)(a) of Arms Act in crime No.45 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners and others were in possession of 960 tablets of nitrozepam-600 grams and 1.30 kg of 'ganja' and found in possession of Air Guns-2 Nos. and pellets - 55 grams and on the information, the respondent police conducted search and found possession of the above contraband along with Air Guns. Hence the case.



3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of bail to this petitioners.

4. The Additional Public Prosecutor appearing for the respondent police would submit that there are totally four accused, in which the petitioners are A1 and A2. He would further submit that the accused persons were found in conscious possession of above contraband, which is a commercial quantity. Hence, he vehemently opposed to grant bail to the petitioners.

5. There are totally four accused, in which the petitioners are arrayed as A1 and A2. All the accused persons were in conscious possession of the contraband, which is a commercial quantity. That apart, the petitioners failed to fulfil the twin conditions as contemplated under Section 37 of NDPS Act. Therefore, this Court is not inclined to grant bail to the petitioners. Accordingly, this criminal original petition is dismissed.

-sd/-

15/06/2022

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,
F4, THOUSAND LIGHTS POLICE STATION,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

CC to M/S.A.PONLINGAM Advocate on payment of necessary charges

CRL OP.13274/2022

Date :15/06/2022

RW-22/06/2022