



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the First day of July Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.15214 of 2022

ALEX

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
NIB CID COIMBATORE.
(CRIME NO.29/2021)

[RESPONDENT]

For Petitioner : M/S.N.U.PRESSANNA 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 05.07.2021 at the hands of the respondent police for the offences punishable under Sections 8(c), 20 (b) (ii) (c), 25, 29(i) of NDPS Act, 1985, in Crime No.29 of 2021, seeks bail.

2. The case of the prosecution is that the petitioner and other accused were found in possession of 48 Kgs of Ganja illegally. 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 and he has been falsely implicated in this case. He would further submit that the petitioner was arrested and remanded to judicial custody on 05.07.2021. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that there are totally 3 accused in which the petitioner is arrayed as A1. The first and second accused were in conscious possession of 48 Kgs of Ganga and it is a commercial quantity. Hence, he vehemently opposed for grant of bail to the petitioner.



5. Therefore, the petitioner failed to fulfill the twin conditions as contemplated under Section 37 of the NDPS Act, 1985. Further, the petitioner already filed bail petitions before this Court in Crl.OP.Nos.2253 & 13937 of 2022 and the same were dismissed on 18.02.2022 and 16.06.2022 respectively, and this is the third bail petition before this Court. However, there is no change of circumstances in this case and this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

01/07/2022

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,
NIB CID, COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

CC to M/S.N.U.PRESSANNA Advocate on payment of necessary charges

CRL OP.15214/2022

Date :01/07/2022

CSK 07/07/2022