



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.15161 of 2022

C.KUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
NIB - CID POLICE STATION,
KANCHEEPURAM.
(CRIME NO.4/2022)

[RESPONDENT]

For Petitioner : M/S.S.SURESH 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 01.02.2022 for the offences punishable under Sections 8(c) r/w 20 (b)(ii)(c), 25 & 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 in crime No.4 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 01.02.2022, on secret information, police came near Keezhambi Junction in Bangalore Chennai Highway and intercepted the car bearing registration No.TN 59 AS 3234 near Keezhambi Junction in Bangalore Chennai National Highway driven by the petitioner and found 22 kg of dry ganja and seized from the secret compartment in the dickey of the car. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the entire recovery was only from the co-accused, who is arrayed as A1 and the petitioner is only the driver of A1. Hence, he prays for grant of bail to the petitioner.



4. The Additional Public Prosecutor appearing for the respondent police would submit that there are totally two accused, in which the petitioner is arrayed as A2. He would further that the first petitioner is a regular offender and the petitioner is the driver of A1. Hence, he vehemently opposed to grant bail to the petitioner.

5. Both the accused were in conscious possession of 'ganja' weighing 22 kg, which is a commercial quantity. Further, the petitioner also 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 petitioner.

6. Accordingly, the 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 POLICE STATION,
KANCHEEPURAM.

2 THE OFFICER INCHARGE,
SUB JAIL, KANCHEEPURAM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.SURESH Advocate on payment of necessary charges
SR.No.10666

CRL OP.15161/2022

Date :01/07/2022

CSK 07/07/2022