

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifth day of July Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.15080 of 2022

KOWSARUTHIN

[PETITIONER / ACCUSED]

Vs

STATE REP BY ITS
THE INSPECTOR OF POLICE,
B-3, KADAMBATHUR POLICE STATION,
KADAMBATHUR,
THIRUVALLUR DISTRICT
CRIME NO.76 OF 2022

[RESPONDENT]

For Petitioner : M/S.S.CHANDRASEKARAN 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/A8, who was arrested and remanded to judicial custody on 12.04.2022 for the offences punishable under Sections 8(c) read with 20(b)(ii)(B), 22(b) 22(c), 25, 29(1) of NDPS Act, 1985 in crime No.76 of 2022 on the file on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were involved in illegal possession of LSD Stamps - 25 Nos., MDMA Tablets-26 Nos., Methcrystal 1 gram, YABA Tablets - 1590 tablets and 2.5 kgs of ganja. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is a native of Tirupura and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4. The Additional Public Prosecutor appearing for the respondent would submit that the contraband which was seized is a commercial quantity and the petitioner was in conscious possession of the said contraband. Hence, opposed for grant of bail to the petitioner.

5. The contraband seized from the petitioner is a commercial quantity. That apart, the petitioner 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, this criminal original petition is dismissed.

-sd/-
05/07/2022

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,
B-3, KADAMBATHUR POLICE STATION,
KADAMBATHUR, THIRUVALLUR DISTRICT

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.15080/2022

Date :05/07/2022

JPA 15/07/2022