

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixth day of July Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.15560 of 2022

1 KABIR HOSSAIN
2 A.TAJUL ISLAM MAISAN

[PETITIONERS / ACCUSED]

Vs

STATE REP. BY
INSPECTOR OF POLICE
THURAIPAKKAM POLICE STATION,
CHENNAI DISTRICT
CRIME NO.791 OF 2021

[RESPONDENT]

For Petitioners : M/S.P.MUTHAMIZHSELVAKUMAR Advocate

For Respondent : MR.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 08.12.2021 for the offences punishable under Sections 8 (c),20(b)(ii) C of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.791 of 2021 on the file on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners were involved in illegal possession of 21.500 kgs of ganja. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioners.

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

5. Considering the facts and circumstances of the case and also considering that the contraband seized from the accused 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.

6. Accordingly, this criminal original petition is dismissed.

-sd/-
06/07/2022

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
THURAIPAKKAM POLICE STATION,
CHENNAI DISTRICT

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.15560/2022

Date :06/07/2022

JPA 18/07/2022