



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.24557 of 2021

IN

C.C.NO.184 of 2021

(On the file of Special Judge, I Additional Special Court for
Exclusive Trial of Cases Under NDPS Act, Chennai)

V.ANANDU KRISHNAN

[PETITIONER / ACCUSED]

Vs

1 UNION OF INDIA REP BY
THE INTELLIGENCE OFFICER,
NARCOTICS CONTROL BUREAU,
CHENNAI ZONAL UNIT, SURVEY NO.49,
PLOT NO. FD2, 2ND MAIN ROAD,
3RD AVENUE, AYAPAKKAM,
CHENNAI-600 077, in R.R.NO.9 of 2020.
(NCB F.NO.48/1/04/2020-NCB/MDS/38)

[RESPONDENT/COMPLAINANT]

For Petitioner : M/S.A.K.GOPALAN Advocate

For Respondent : MR.N.P.KUMAR Special Public Prosecutor for NCB CASES

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who was arrested and remanded to judicial custody for the offences under Sections 8(c) R/w Sec.22 (b), 25, 27A & 29 of NDPS Act, 1985 in R.R.No.9 of 2020 (NCB F.No.48/1/04/2020-NCB/MDS on the file of the respondent police seeks bail. It is seen from records that this is the second bail petition filed by the petitioner.

2. The case of the prosecution is that on the information received by NCB, Chennai, 30 grams of Methamphetamine came to be seized at M/s Aramex India Pvt. Ekkaduthangal on 22.02.2020 which was booked in the name of the petitioner. Hence, the law enforcing registered a case against the petitioner.



3. The learned counsel for the petitioner submits that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case. Further, the petitioner was not in possession of the alleged drugs and that the petitioner was also not alleged to be in possession of the commercial quantity of contra band . Therefore, he prays for grant of bail to the petitioner.

4. The learned Government Advocate(Crl. side) submits that there is no change in circumstances after the previous order was passed on merits as the petitioner was found in possession of 30 grams of contra band which is more than the small quantity as per the notification S.O.1055(E) dated 19.10.2021. Hence, the learned Government Advocate vehemently opposed to grant bail to the petitioner.

5.Taking note of the submission made by the learned Government Advocate and also the quantity of contra band which was seized and the alleged involvement of the petitioner, though the quantity is not a commercial quantity, however, considering the quantity is a little less than the commercial quantity and there being no change in circumstances, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original petition is dismissed.

-sd/-
06/01/2022

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 SPECIAL JUDGE,
I ADDITIONAL SPECIAL COURT FOR EXCLUSIVE
TRIAL OF CASES UNDER NDPS ACT, CHENNAI.

2 THE INTELLIGENCE OFFICER,
NARCOTICS CONTROL BUREAU,
CHENNAI ZONAL UNIT, SURVEY NO.49,
PLOT NO. FD2, 2nd MAIN ROAD, 3rd AVENUE,
AYAPAKKAM, CHENNAI- 600 077.



3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.A.K.GOPALAN Advocate on payment of necessary charges
SR.No.347

CRL OP.24557/2021

Date :06/01/2022

CSK 27/01/2022