



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Fifth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION Nos.24598,24602 AND 24780 of 2021

1.DHANALAKSHMI	[PETITIONER / ACCUSED-A1&2
2.VENKATESH	IN CRL.OP.NO.24598/2021]
1.SHANKAR	[PETITIONER / ACCUSED-A4&6
2.MEGHALA	IN CRL.OP.NO.24602/2021]
NANDAGOPAL	[PETITIONER / ACCUSED-A5
	IN CRL.OP.NO.24602/2021]

Vs

THE INSPECTOR OF POLICE,	[RESPONDENT/COMPLAINANT
NIB CID POLICE, CHENNAI.	IN ALL THE PETITIONS]

For Petitioner : M/S.I.GOWRI SHANKAR Advocate
[IN CRL.OP.NO.24598/2021]

: M/S.M.HUSSAINI BASHA Advocate
[IN CRL.OP.NOs.24602&24780/2021]

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)
[IN ALL THE PETITIONS]

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners in the above Crl.O.P.No's, who were arrested and remanded to judicial custody on 22.09.2021 for the offences under Section 8(c), r/w 20(b)(ii)(C), 25 & 29(1) of NDPS Act 1985 in Cr.No.28 of 2021 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners along with one accused in Crl.O.P.No.24598 of 2021 were alleged to have involved in illegal possession of 60 Kgs of Ganja in 3 bags (each 20 Kgs) and the petitioners in both Crl.O.P.No.24602 and 24780 of 2021 were in possession of 50 Kgs of Ganja in 2 bags (each 25 Kgs). Totally 110 Kgs of ganja were seized from A1 to A6. Hence, the complaint.



3. M/S.I.Gowri Shankar, learned counsel appearing for the petitioners/A1 and A2 submitted that the petitioners in Crl.O.P.No.24898 of 2021 have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners have been suffering incarceration for more than 160 days. Hence, he prays for grant of bail to the petitioners.

4. M/S.H.Hussaini Basha, learned counsel appearing for the petitioners/A4, A5 and A6 submitted that the petitioners in both Crl.O.P.Nos.24602 and 24780 of 2021 have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that there are no previous cases pending against the petitioners and the co-accused has been released on bail by this Court in Crl.O.P.No.4194 of 2021 dated 07.04.2021. Hence he prays for grant of bail to the petitioners.

5.The learned Government Advocate (Crl.Side) submitted that the petitioners in the aforesaid Crl.O.P.No's are alleged to have involved in illegal possession of 110 Kgs of narcotic drug Ganja which is of commercial quantity. He further submitted that there are four previous cases pending against the petitioner/A1 in Crl.O.P.No.24898 of 2021. Hence, he vehemently opposed to grant bail to the petitioners.

6. Considering the previous cases pending against the petitioner/A1 and huge quantity has been involved which is of commercial quantity. If the petitioners in the above Crl.O.P.Nos' are released on bail, they would abscond and tamper the evidences. In such circumstances, this court is not inclined to grant bail to the petitioners in the above Crl.O.P.Nos'.

7. Accordingly, these Criminal Original Petitions are dismissed.

-sd/-

05/01/2022

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 INSPECTOR OF POLICE,
NIB CID POLICE, CHENNAI.



2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.I.GOWRI SHANKAR Advocate on payment of necessary
charges

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

CRL OP.NOs.24598,24602&24780/2021

Date :05/01/2022

CSK 12/01/2022