



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 No.25175 of 2021

C.C.No.41 of 2020

(ON THE FILE OF THE PRINCIPAL JUDGE NDPS ACT, CHENNAI)

JAKIR

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
NIB, CIB,
CHENNAI.
CRIME NO.109 OF 2019.

[RESPONDENT]

For Petitioner : M/S T.S.SASIKUMAR Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

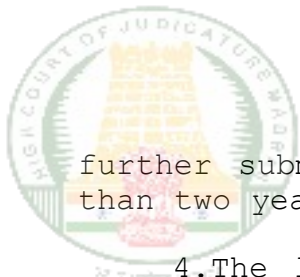
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 04.11.2019 for the offences under Section 8(c) r/w 20(b)(ii)(C), 29(1) of NDPS Act in Crime No.109 of 2019 on the file of NIB CID, Chennai in C.C.No.41 of 2020 on the file of the Principal Special Judge NDPS Act, Chennai, seeks bail.

2.The case of the prosecution is that there are totally 2 accused persons. Based on the secret information, the respondent police went to the place of occurrence, where the petitioner was standing suspiciously and while checking, he was found with illegal possession of 24 Kgs of Ganja. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He



further submitted that he has been suffering incarceration for more than two years. Hence prays for grant of bail.

4. The learned Government Advocate (Crl.Side) submitted that the petitioner was found in illegal possession of 24 Kgs of narcotic drug Ganja which is a commercial quantity. He further submitted that the petitioner is from Uttar Pradesh State and if he is released on bail the possibility of the petitioner absconding for the trial cannot be ruled out. He furthermore submitted that counter report has also been filed by the respondent police. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and since the petitioner is from Uttar Pradesh State, he might stall the trial proceedings if he is released on bail. In such circumstances, this court is not inclined to grant bail to the petitioner.

6. Accordingly, the petition seeking bail is 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 PRINCIPAL JUDGE NDPS ACT,
CHENNAI.

2 THE INSPECTOR OF POLICE
NIB, CIB,
CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

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

CRL OP.25175/2021

Date :05/01/2022

TA-12/01/2022