



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

Tuesday, the Seventh day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12368 of 2022

IN

C.C.NO.299 OF 2022

(On the file of II Additional Special Judge(EC and NDPS)Act at
Chennai)

ASHWIN THOMAS

[PETITIONER / ACCUSED]

Vs

THE CENTRAL REP BY
THE INTELLIGENCE OFFICE,
NARCOTIC CONTROL BUREAU(NCB),
SOUTH ZONE, CHENNAI

[RESPONDENT]

For Petitioner : M/S. R.ARUMUGAM Advocate

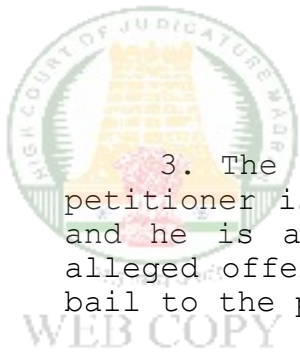
For Respondent : M/S N.P.KUMAR, SPECIAL PUBLIC PROSECUTOR

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 27.04.2021 at the hands of the respondent for the offences punishable under Sections 8(c) r/w 22 (c), 23, 28 and 29 of NDPS Act, in CC.No.299 of 2022 on the file of the respondent, seeks bail.

2. The case of the prosecution is that when the respondent Police and their team went on secret search, they found that the petitioner along with other accused were found in possession of 990 grams of Amphetamine which was placed inside the cricket knee pads and hand gloves. Hence the complaint.



3. The learned counsel for the petitioner would submit that the petitioner is only the person who brought the consignment for courier and he is an innocent person and he is no way connected with the alleged offence as alleged by the prosecution. Hence, he sought for bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that it is seen from the records that the accused persons have packed the contraband in the cricket knee pads and couriered it to Auckland, Newzealand. That apart, petitioner also accompanied the first accused and purchased the contraband. Thereafter, when they intend to courier the same to the Auckland, Newzealand, respondent, on secret information seized the contraband from the accused and arrested them and it is commercial quantity. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration of the above facts and circumstances of the case and the petitioner was also in possession of the contraband and the twin conditions as contemplated under Section 37 of the NDPS Act are not satisfied before this Court, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

07/06/2022

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 II ADDITIONAL SPECIAL JUDGE (EC AND NDPS) ACT,
CHENNAI

2 THE SUPERINTENDENT,
CENTRAL PRISON,
PUZHAI, CHENNAI

3 THE CENTRAL REP BY
THE INTELLIGENCE OFFICE,
NARCOTIC CONTROL BUREAU (NCB),
SOUTH ZONE, CHENNAI



4 THE SPECIAL PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. R.ARUMUGAM Advocate on payment of necessary charges
sr.8514

CRL OP.12368/2022

Date :07/06/2022

RVR 20/06/2022