



CrI.OP.No.16782 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner/A4, who was arrested and remanded to judicial custody on 11.04.2022 for the offences punishable under Section 8(c), r/w 22(b), 29(1) of NDPS Act in crime No.283 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were involved in illegal possession of drug tablets i.e. Tydol 100 mg (40 tablet), 10.4g, Spasmoproxyvon Plus (320 tablets) 198.4 g (totally 208.8 gm) sterile water bottle 500MI-3, disposable syringe-30, disposable needles-40, which were seized. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the quantity of contraband is coming under the non commercial quantity and it is intermediate quantity and hence restrictions in Section 37 of NDPS Act do not apply. Hence, he prays for grant of bail to the petitioner.



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4. The Additional Public Prosecutor appearing for the respondent police would submit that petitioner was in illegal possession of drug tablets i.e. Tydol 100 mg (40 tablet), 10.4g, Spasmoproxyvon Plus (320 tablets) 198.4 g (totally 208.8 gm) sterile water bottle 500MI-3, disposable syringe-30, disposable needles-40 and they were seized. He would further submit that the contraband which was seized is a commercial quantity. Hence, opposed for grant of bail to the petitioner.

5. It is seen that there are totally five accused, in which the petitioner is arrayed A4. The contraband seized from the petitioner is a commercial quantity. That apart, the petitioner 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 petitioner.

6. Accordingly, this criminal original petition is dismissed.

19.07.2022

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