



CrI.OP.No.19392 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 12.12.2021 for the offences punishable under Sections 8(c), 22(c), 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.1166 of 2021, seeks bail.

2. There are totally seven accused and the petitioner has been arrayed as A4. The case of the prosecution is that the petitioner along with other accused were found in possession of 10 LST Stamps. 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 investigation in this case has been completed and final report has also been filed. That apart, the petitioner has been suffering incarceration from 12.12.2021. Hence, he prays for grant of bail to the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent would submit that, the total contraband involved in this case is about 10 LST Stamps, which is a commercial quantity and further the petitioner was also in conscious and constructive possession. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering quantity of the contraband seized from the accused which is a commercial quantity and the grounds raised by the learned counsel for the petitioner in this regard can be considered only during trial, 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. Accordingly, this criminal original petition is dismissed.

01.09.2022

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