

CRL.O.P.No.23611 of 2022

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T.V.THAMILSELVI,J.

The petitioner who was arrested and remanded to judicial custody on 28.07.2021 for the offences under Sections 8(c) r/w 20(b)(ii)B 22(c), and 29(i) of the NDPS Act in C.C.No.322 of 2021 on the file of the II Additional Special Court for exclusive Trial cases under NDPS & EC Act, Chennai in respect of Crime No.2362 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secrete information by the informant, the respondent police intercepted the two wheeler bearing registration No.TN-02-BR-7004, Duke, TN-09-CU-6570 DIO and TN-07-CB-1913 Duke at Moolakothalam Graveyard wherein the petitioner/A5 and other accused were found in possession of 2 Kgs of Ganja and 11 thousand numbers of Nitrovit Tablets (6622.2grams) and 1400 numbers of Tydol Tablets (378.8grams) and the respondent police seized the contraband and arrested them and registered the case under Sections 8(c)



r/w 20(b)(ii)B 22(c), and 29(i) of the NDPS Act in C.C.No.322 of 2021 on the file of the II Additional Special Court for exclusive Trial cases under NDPS & EC Act, in Crime No.2362 of 2021 on the file of the respondent police and the petitioner is arrayed as A4.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he is no way connected with the commission of the alleged offence. On 15.03.2022, the charge sheet was laid down against the petitioner and other persons and the case was taken on file in C.C. No.322 of 2021 before II Additional Special Court for exclusive Trial cases under NDPS & EC Act, in Crime No.2362 of 2021. If bail is granted to the petitioner herein, he will not abscond. He further submits that if he is released on bail he will abide by any conditions that may be imposed by this Court.

4.The learned Government Advocate (Crl. side) raised objection stating that there are totally 5 accused, in which the petitioner arrayed as A4. The petitioner was found in actual possession of contraband/Tydol drug tablets -1400 and the same was seized from him by the respondent police.



Further, this Court had dismissed the bail application of the co-accused.

Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the gravity of offence committed by the petitioners, this court is not inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

30.11.2022

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J.



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