



Crl.O.P.No.26325 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested by the respondent Police on 19.07.2021 and remanded to judicial custody on 28.09.2021 for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 22(c), 25 & 29(1) of NDPS Act 1985 and Sections 147, 148 of IPC in the C.C.No.38 of 2022 (On the file of Learned Special Judge, I Additional Special Court for Exclusive Trial of Cases Under NDPS Act, Chennai) connected with Crime No.1212 of 2021 on the file of the respondent police, (H-3, Tondairpet Police Station), seeks bail.

2. The case of the prosecution is that on 19.07.2021, the petitioner and 4 others were found in possession of Nitrovit – 10 totally 1125 tablets (876 grams) and 1.500 Kgs of Ganja. The petitioner and another accused person escaped from the spot after seeing the respondent police and the property was seized from A1 & A2. In this case, charge sheet was already filed and the same is pending in C.C.No.38 of 2022 before the learned Special Judge I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai.



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3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case. He further submitted that this is the third bail petition filed by the petitioner and the petitioner is ready and willing to abide by any stringent conditions that may be imposed on him. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that all the accused persons were in possession of 1.500 Kgs of Ganja and 1125 Nitrovet – 10 tablets which contains 876 grams, which comes under commercial quantity and thereby, Section 37 of NDPS Act is applicable. He further submitted that there is no change of circumstances after the previous dismissal orders passed by this Court on merits. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and that there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is dismissed.

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