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Crl.O.P.No.27307 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to Judicial custody on 15.03.2022 for the alleged offence punishable under Section 8(c) r/w 21(C), 25 and 29(1) of NDPS Act 1985, in Crime No.42 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 14.03.2022 at about 08.00 a.m., based on the secret information, when the respondent searched the place of the accused, they were found in possession of 56 grams of Methamphetamine and subsequently seized the contraband. Hence the complaint.

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 this is the third bail petition filed before this Court. Hence, he prays for grant of bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that there are totally five accused in this case in which, the petitioner is arrayed as A1 and he was in possession of more than 56 grams of Methamphetamine and it is commercial quantity. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that there are five accused in this case, the petitioner is arrayed as A1. According to the case of the prosecution, A1 used to purchase the contraband and selling it to A3 to A5, they were in possession of 56 grams of Methamphetamine. On their confession, A1 and A2 were arrested and remanded to judicial custody. At the time of arrest, A2 was in possession of 60 grams of Methamphetamine and A1 was in possession of Rs.51,950/- cash. While he was purchasing the Methamphetamine from A2, both were arrested therefore, all the accused are drug peddler and that too the second accused is from Nigeria. Therefore, all the accused were under constructive possession of contraband and it is commercial quantity.



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

7. Accordingly, this Criminal Original Petition is dismissed.

14.11.2022

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