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Crl.O.P.No.27790 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to Judicial custody on 18.03.2022 for the alleged offences punishable under Sections 8(c), 22(a), 22(c) and 29(1) of NDPS Act and Sections 465, 468, 472 IPC, in Crime No.81 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 17.03.2022, at about 09.00 a.m., the petitioner along with other accused were found in possession of 150 tablets of Netravet 10mg and 100 tablets of Tydol 100mg. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person she has been falsely implicated in this case and she has nothing to do with the alleged offence. He would further submit that the contraband seized by the respondent was not under Narcotic drug except Nitrozepam and Alprazolem. Only based on the confession of the co-accused the petitioner was implicated in this case. He



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would further submit that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that there are totally six accused in this case in which, the petitioner is arrayed as A2. The petitioner along with other accused were in possession of Nitrovet-10mg (150 tablets) and Tydol-100mg (100 tablets). He further submitted that the respondent also filed final report and the same has been taken cognizance by the trial Court in C.C.No.203 of 2022. He further submitted that this is the fourth bail petition filed before this Court and earlier bail petitions were dismissed by this Court. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances that the quantity of contraband seized from the accused is a commercial quantity and also considering that this Court had dismissed the earlier bail petitions and there is no change of circumstances, that apart, the petitioner failed to fulfil the twin conditions as contemplated under Section 37 of NDPS Act.



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Therefore, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

14.11.2022

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