

CRL.O.P.No.27952 of 2022

T.V.THAMILSELVI,J.

The petitioner who was arrested and remanded to judicial custody on 09.12.2021 for the offence punishable under Sections 9(A) r/w 23, 25(A), 28 and 29 of NDPS Act, in R.R.No.41 of 2021 in O.S.No.152 of 2021-INT AIR & O.S.No.1009 of 2021 AIU on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 09.12.2021, the petitioner was departing to Colombo from Chennai for her business travel. During which, she was intercepted at the Anna International Airport by the respondent and seized 99 grams of white colour crystalline substances suspected to be 3, 4 Methylanedioxyphenyl 1-2 propane concealed in adhesive tapes in her rectum. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is a women having two minor children and there is no previous case pending as against the petitioner. He would also submit that the petitioner is in custody from 09.12.2021, which is more than a year. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl.Side) raised objection stating that in the instant case, 99 grams of white colour crystalline substances ascertained by test report to be “Methamphetamine Hydrochloride” which was found by way of concealment in rectum of the petitioner who was bound to travel Columbo from Chennai by Indigo Airlines Flight Number 6E1207 on 09.12.2021 at 01.10 hrs and the same was recovered and seized. He would also submit that the petitioner was knowingly concerned herself in smuggling of Narcotics substance thereby has consciously concerned herself in a serious offence having adverse effect on the economy of the nation. There was a due search and seizure of said contraband from the unlawful possession of the petitioner and that if released on bail the petitioner will abscond, commit similar offence. It is further submit that the accused was remanded on 10.12.2021 for having possession of 99 grams of white colour crystalline substance Methamphetamine Hydrochloride and the said quantity in this case is commercial quantity which attracts Section 37 of NDPS Act, 1985. He would further submit that the petitioner along with her friend (Uma Maheswari), her friend's son (Arum Kumar) and her friend's younger sister (Dhanalakshmi) as a group involved in the same kind of offence as the other three people were also arrested on the same day in different cases and remanded to judicial custody for carrying almost the same quantity of the said contraband and

in the same modus operandi. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Taking into account the fact that if the petitioner is released on bail the petitioner will abscond and commit similar offence and also the fact that group of persons have involved and transported the contraband, which requires a detailed investigation, this court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

13.12.2022

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