



Crl.O.P.No.29888 of 2022

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T.V.THAMILSELVI,J.

The petitioner who was arrested and remanded to judicial custody on 30.07.2022 for the offences punishable under Sections 9(A) r/w 22(c), 25(A) of NDPS Act in Crime No.285 of 2022, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused was found in illegal possession of 500 grams of Methamphetamine. 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 there is no independent witness for the contraband seized and the respondent had not calculated the individual weight of the Methamphetamine seized. He would also submit that the contraband were seized from both the petitioner and A2, which is totally amounting to commercial quantity. The records does not indicate as to what quantity was recovered from each of them and the respondent came



to the conclusion that without chemical analysis, the seized contra bad was methamphetamine.

4.The learned counsel pointing out that the properties were not produced before the Special Court immediately after seizure. The reason for delay in forwarding the contraband before the Judicial Magistrate is different and the reason shown for the delay in forwarding the contraband to the Special Court is different. Either way, the contraband which was alleged to have seized on 30.07.2022 reached the Court only on 26.09.2022 and the reason for delay is not properly explained.

5.The learned counsel for the petitioner further submitted that the petitioner is in judicial custody from 30.07.2022 and he is also ready to abide by any stringent condition that may be imposed by this Court and hence, he prays for grant of bail to the petitioner.

6. The learned Government Advocate (Crl. Side) would submit that the petitioner was found in illegal possession of 500 grams of Methamphetamine, which comes under commercial quantity and only



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from this petitioner, the total recovery was made. He would further submit that the investigation is still pending and the forensic lab report has not yet been received. Therefore, he vehemently opposed to grant bail to the petitioner.

7.Taking into consideration the facts and circumstances of the case and also taking note of the quantity of the contraband which is a commercial quantity and that the lab report has not yet been received, this Court is not inclined to grant bail to the petitioner.

8.Accordingly, this Criminal Original Petition stands dismissed.

16.12.2022

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