



Crl.O.P.No.29697 of 2022

WEB COPY

Crl.O.P.No.29697 of 2022

T.V.THAMILSELVI, J.

The petitioner, who has been arrested and remanded to judicial custody on 24.09.2022, for the offences punishable under Sections 8(c), 12, 22(c), 23(c), 24, 28 & 29 of the Narcotic Drugs and Psychotropic Act, 1985, in R.R.No.25 of 2022 in NCB F.No.48/1/07/2022-NCB/MDS, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 23.04.2022, on receiving a secret information about the trafficking of Methamphetamine from India to Srilanka, respondent Police conducted a search and found the first accused was in illegal possession of 184 grams of Methamphetamine. During enquiry, it came to light that A1 procured the contraband from the other accused and on further enquiry, it reveals that the petitioner along with the other accused A4 had supplied the above contraband to A3 for monetary consideration. Based on which, the respondent has registered a case against the accused for the offences



CrI.O.P.No.29697 of 2022

WEB COPY

punishable under Sections 8(c), 12, 22(c), 23(c), 24, 28 & 29 of the Narcotic Drugs and Psychotropic Act, 1985. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that on 23.09.2022, when the respondent has intercepted A4, the petitioner was also accompanied him, thereby, the respondent without issuing any summons, took the petitioner along with A4. He also stated that even as per the prosecution, the petitioner doesn't took part with any of the transaction and he has nothing to do with the alleged drug trafficking and no contraband were recovered from him. He also submitted that the petitioner is in custody from 24.9.2022, therefore, he prays for grant of bail to the petitioner.

4. The respondent has filed a detailed counter.

5. Learned Special Public Prosecutor appearing for the respondent police submitted that respondent police has found that the first



Crl.O.P.No.29697 of 2022

WEB COPY

accused was in illegal possession of 184 grams of Methamphetamine, which is a commercial quantity. He further submitted that on enquiry, it revealed that the petitioner along with the fourth accused are the persons who supplied the said contraband to the first accused, therefore. he vehemently opposed to grant bail to the petitioner.

6. Heard the learned counsel for the petitioner and the learned Special Public Prosecutor and perused the materials available on record.

7. Taking into consideration the facts and circumstances of the case and the submission made by the learned counsel and also considering the fact that the alleged contraband is a commercial quantity and the petitioner did not satisfy the conditions required under Section 37 of NDPS Act for grant of bail, this Court is not inclined to grant bail to the petitioner.



WEB COPY



Crl.O.P.No.29697 of 2022

T.V.THAMILSELVI, J.

ham

8. Accordingly, this Criminal Original Petition stands dismissed.

19.12.2022

ham

Crl.O.P.No.29697 of 2022