



CrI.O.P.No. 5576 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 06.07.2022 for the alleged offence punishable under Sections 8(c), 20(b)(II)(A), and 22(c) of NDPS Act, in Crime No.143 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 06.07.2022, at about 20.00 hrs., on a secret information, when the respondent police conducted a check-up at Kasimedu Power Kuppam subway, the petitioner along with other accused found standing suspiciously and on search, they were found in possession of 8 nos. of LSD stamps (totally weighing 130 mg.) and seized the same. Hence, the complaint.

3. The learned counsel for the petitioner submitted that this is the third petition seeking for bail and he is an innocent person. He would submit that he has not at all committed any offence as alleged by the respondent police and he will abide any condition that may be imposed by



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WEB COM this court. He would further submit that the petitioner has been suffering incarceration from 06.07.2022. To support his contention he relied the authority of *the Hon'ble Supreme Court of India, in Criminal Appeal No.923 of 2022, dated 11.07.2022, State of West Bengal Vs. Rakesh Singh @ Rakesh Kumar Singh*". Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that he is the prime accused and he is having 6 previous cases including Sec.302 I.P.C. cases pending against him and he is a notorious person. He would submit that the contraband seized from him is a commercial quantity. He would submit that the investigation is completed and charge sheet has been filed against him and the case is posted for framing of charges. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offence committed by the petitioner on recovery of 8 nos. of LSD Stamps (totally



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weighing 130 mg.), which is a commercial quantity and there are 6 previous cases including Sec.302 I.P.C. cases pending against him and the case is posted for framing of charges, and the authority relied by the petitioner in this case is not reliable, because this is a case of NDPS Act, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed. However, the learned trial Judge is directed to complete the trial as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

22.06.2023

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