



Crl.O.P.No.4651 of 2023

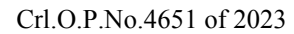
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A.D.JAGADISH CHANDIRA.,J.

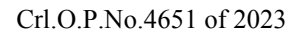
The petitioner, who was arrested and remanded to judicial custody on 16.12.2023, for the offences punishable under Sections 8(c) r/w. 22(c), 29(1) of the NDPS Act in Crime No.353 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 16.12.2022 at about 20.00 hours, the defacto complainant Special Sub Inspector of Police, PEW Gummidipoondi Police Station, Thiruvallur District received a secret information and entered the same in the General Diary, then got permission from the then In-charge Inspector of Police. Thereafter, the Special Sub Inspector of Police along with his police parties went to the scene of occurrence [i.e] Ellavur Check Post, Gummidipoondi Taluk, the Special Sub Inspector of Police along with the police team conducted vehicle check up at that time, the accused persons A1/Purushothaman and A2/Sarathi were in bus bearing registration number AP 39 TK 9019 Bharathi Service Private Bus, Accused/A1 & A2 had kept in possession of 1)Alaprazolam Tablet IP



3. The learned counsel for the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that the petitioner had purchased medicines from Andhra and he was not aware of the contents. He would submit that the petitioner is in judicial custody from 16.12.2022, hence, he prays to grant bail to the petitioner.

"4.it is submitted that the specific overtact of the accused persons is as follows;-

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conscious possession of the material and the petitioner has to satisfy the condition has required under section 37 of the NDPS Act for grant of bail. He would submit that the petitioner has failed to satisfy the condition. Hence, he opposed for grant of bail to the petitioner.

6. Heard the learned Counsel for the petitioner and the learned Government Advocate(Crl.Side) and perused the materials available on record including the First Information Report.

7. Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court is of the opinion that the petitioner has not satisfied the conditions required under Section 37 of NDPS Act. Therefore, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition is closed.

24.03.2023

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