



Crl.O.P.No.8935 of 2023

Crl.O.P.No.8935 of 2023

WEB COPY

T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 28.07.2021 for the alleged offence under Sections 8(c) r/w 20(b)(ii)(B), 22(c), 25 and 29(1) of NDPS Act, 1985 in Crime No.2362 of 2021 on the file of the respondent police and pending trial in C.C.Nos. 322 of 2021 on the file of II Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai, seeks bail.

2. The case of prosecution is that as per secret information, on 28.07.2021 at about 09.00 a.m., the respondent police had intercepted and conducted search on the petitioner's two wheeler, nearby burial ground at Moolakothalam, they found 30 boxes of Nitrovet – 10 mg., At the same time, the respondent conducted search with other accused and found 14 boxes of TYDOL tablets and also 2 kgs. of ganja without having valid permission. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that the other co-accused persons/ A2 to 5 were



WEB COPY

arrested and released on bail. The petitioner is in judicial custody from 28.07.2021. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) submitted that nearly about 9000 tablets were recovered and 14 boxes of TYDOL tablets and 30 boxes of Nitrovet and also 2 kgs. of ganja were recovered. The seizure of commercial quantity of Nitrovet – 10 tablets are 11700, each weighing 0.566 grams, total tablet weight 6622.2 grams, TYDOL 1430 tablets, each tablet weighing 0.267 grams. Thus, total tablet weighing 381.81 grams. The petitioner/A1 is having three previous cases and seized contraband was sent for chemical analysis and the final report was also filed and now the case is posted for framing of charges. He would also submit that if the petitioner is released on bail, they will abscond and he will tamper the witness. Hence, he vehemently opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.



CrI.O.P.No.8935 of 2023

WEB COPY

6.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, nearly about 14000 tablets were seized under mahazar from the accused persons and the petitioner/A1 is also having three previous cases similar in nature, and there is no change in circumstances, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this Criminal Original Petition stands dismissed. However, the learned trial Judge is directed to complete the trial as expeditiously as possible, without giving unnecessary adjournment.

17.08.2023

rri



WEB COPY



Crl.O.P.No.8935 of 2023

T.V.THAMILSELVI, J.

rrr

Crl.O.P.No.8935 of 2023

17.08.2023