



Crl.O.P.No.11067 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 13.01.2023 for the offence registered under Sections 8(c), 22(c) and 25 of NDPS Act, in Crime No.18 of 2023 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner along with two other accused were found to be in illegal possession of 252 grams of methamphetamine and the respondent Police had recovered the contraband and arrested the accused on the spot. Hence the case.

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, since he has got some previous cases. He would further submit that the petitioner has nothing to do with the alleged offence and he is in custody from 13.01.2023. Hence, he prays for grant of bail to the petitioner.



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Crl.O.P.No.11067 of 2023

4. The respondent has filed a detailed counter.

5. The learned Government Advocate (Crl.side) for the respondent would submit that the petitioner along with two other accused were found to be in illegal possession of 252 grams of methamphetamine, which is a commercial quantity. Further, the contraband has been recovered only from the petitioner and he was found in conscious possession of the same. He would further submit that the petitioner has not satisfied the conditions required under Section 37 of the NDPS Act for grant of bail. He would also submit that three previous cases are pending against the petitioner. Thereby, he prayed for dismissal of the petition.

6. Heard both sides and perused the entire materials available on record.

7. It is a case where the petitioner was arrested along with A2/Manikandan and from him, 252 grams of methamphetamine was recovered, which is a commercial quantity and there is no recovery from



Crl.O.P.No.11067 of 2023

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the other accused. This Court is of the opinion that the petitioner has also not satisfied the twin conditions as contemplated under Section 37 of NDPS Act for grant of bail. Hence, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

12.06.2023

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Crl.O.P.No.11067 of 2023

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Crl.O.P.No.11067 of 2023

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