



Crl.OP.No.11680 of 2023

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A.A.NAKKIRAN,J.

The petitioner, who was arrested and remanded to judicial custody on 18.05.2022 in connection with Crime No.307 of 2022 for the offences punishable under Sections 8(c) read with 22(C) and 29(1) of NDPS Act, seeks bail.

2. The case of prosecution as per the de-facto complainant is that on receiving the specific information, he intercepted two persons, namely Yuvaraj, who is the petitioner herein, and one Subash and from their custody, he has recovered 15 numbers of LSD Stamp (240mg) and arrested the accused. During the course of investigation, confession statement was recorded from the accused, in which, they have stated that four other accused have escaped from the scene of occurrence. Thereafter, the respondent Police has registered a case in Crime No.307 of 2022 for the aforesaid offences. Hence, the case.



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3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the offence and he has not committed any offence as alleged by the respondent police. He would also submit the petitioner has already filed a petition seeking bail before the Special Court under EC & NDPS Act, Chennai, which was dismissed on 24.06.2022. The learned counsel further submitted that the petitioner has been falsely implicated in this case and he will abide by any condition imposed by this Court. He would also submit that the petitioner has been suffering incarceration from 18.05.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that there was due search and seizure of said contraband from the unlawful possession of the accused and if he is released on bail, he will abscond and commit similar offences. He further submitted that the accused will interfere with the further investigation and since the petitioner was in possession of 15 LSD Stamp (240 mg), which is a commercial quantity, it attracts Section 37 of the NDPS Act. Hence, he would vehemently opposed to grant bail to the petitioner.



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5. Considering the facts and circumstances of the case and also that there is no change of circumstance and by taking into consideration the submissions made by the learned Government Advocate appearing for the respondent, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

18.05.2023

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