



WEB COPY



Crl.O.P.No.15588 of 2023

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G.CHANDRASEKHARAN, J.

The petitioner, who was arrested and remanded to judicial custody on 12.05.2023 for the offences punishable under Sections 8(c) read with 20(b)(ii)(A), 22(c), 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.206 of 2023 on the file of the respondent police, seeks bail.

2. When the matter was taken on 24.07.2023, this Court passed the following order:-

“3. It is the submission of the learned counsel for the petitioner that, petitioner is a Grade-I Police Constable and he forms part of a team, which was constituted, in connection with two murder cases, taken place on 12.02.2023 and 13.02.2023. A1 namely Suji Mohan called the petitioner and informed about the accused involved in the murder cases and he also sent a video footage of one of the occurrences. Later, he was enquired by the Inspector of Police. However, petitioner is falsely implicated in this case.

4. In response, learned Government Advocate (Criminal side) submitted that, there is a phone conversation



between this petitioner and A1, wherein, this petitioner advised and gave information, with regard to the persons, who are involved in the dealing of psychotropic substances and he also informed the A1 about the proposed police action. A pendrive is produced in this regard, for the perusal of this Court.

5. Learned counsel for the petitioner is directed to file an additional affidavit of the petitioner, as to his submissions.”

3. In pursuance to the order of this Court dated 24.07.2023, learned counsel for the petitioner filed an additional affidavit. It is his submission that petitioner had never informed the information of the special team to the accused in this case to facilitate them in escaping from the clutches of law. In fact, A1 Suji Mohan had given an information with regard to the accused persons involved in Crime Nos.81 & 83 of 2023, on the file of the C2-Race Course Police Station, Coimbatore. This information was conveyed by him to the Inspector of Police, C2-Race Course Police Station.

3. This Court had an opportunity of hearing the conversation between A1 and this petitioner, recorded in a pen-drive.



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From the conversation, it can be gathered that petitioner was giving instructions on how the drug offenders are operating in the city of Coimbatore. In fact, he spoke about how huge amounts can be earned in drug peddling. He demanded A1 to steal electronic gadgets used by the persons, who is involved in procurement and sale of LSD.

4. Therefore, this Court cannot neglect the submission of the learned Additional Public Prosecutor that petitioner was actively involved in assisting the accused in this case in drug trafficking.

5. The contraband involved in this case is a commercial quantity. The very fact that the petitioner working in the police department, indulged in assisting the drug traffickers, in illegal procurement, transportation of the commercial quantity of LSD, this Court is of the view that there is no reason to believe that petitioner has not committed the offence alleged against him. He failed to satisfy the twin condition under Section 37 of NDPS Act.



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6. Therefore, this court is of the view that petitioner is not entitled for bail. Accordingly, this Criminal Original petition is dismissed.

31.07.2023

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