



Crl.O.P.No.25973 of 2022

WEB COPY

Crl.O.P.No.25973 of 2022

T.V.THAMILSELVI,J.

The petitioner, who was arrested and remanded to judicial custody on 23.12.2021 for the offences punishable under Sections 8(c) r/w 22(c), 28, 29 of NDPS Act, seeks bail.

2. The case of the prosecution is that on 23.12.2021, the accused had illegally transported one kilogram of Methamphetamine in his Toyato Innova car bearing registration No.TN-25-V-1066 and also the respondent has seized another one kilogram of Methamphetamine from the residence of the second accused's relative. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person aged about 71 years. He further submitted that already a case has been registered by the respondent police, whereas, the petitioner has been acquitted in that case, due to which, he has been falsely implicated in this case. He also stated that the respondent has not followed the provision under NDPS Act and also there was delay in sending the seized contraband to the



CrI.O.P.No.25973 of 2022

trial Court. He further stated that the petitioner is in custody from 23.12.2021 and they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Learned Special Public Prosecutor appearing for the respondent police submitted that the petitioner along with the other accused were illegally transported one kilogram of Methamphetamine in their vehicle and in possession of another one kilogram of Methamphetamine. He further submitted that the seized contraband was a commercial quantity and the case has been taken up on the file of the learned Ist Additional Special Judge for EC and NDPS Act Cases, Chennai in C.C.No.123 of 2022. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Special Public Prosecutor for the respondent and perused the entire materials available on record.



CrI.O.P.No.25973 of 2022

WEB COPY

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Special Public Prosecutor and considering the fact that the seized contraband is a commercial quantity, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

30.01.2023

ham



WEB COPY



Crl.O.P.No.25973 of 2022

T.V.THAMILSELVI,J.

ham

Crl.O.P.No.25973 of 2022

30.01.2023