



Crl.OP.No.26236 of 2023

Crl.O.P.No.26236 of 2023

C.V.KARTHIKEYAN, J.

The petitioner seeks bail in C.C.No.42 of 2023 now pending before the Principal Special Court under EC & NDPS Act, Chennai.

2.Originally, crime No.105 of 2022 had been registered by the respondent Police for the offences under Sections 8(c) r/w 22(c) and 29(1) of NDPS Act. He had been remanded to judicial custody on 11.06.2022.

3.The case of the prosecution is that A1 was found in possession of 21 MDMA-ecstasy tablets weighing 10.15 grams and A2 was also present at that particular place. A3 had escaped.

4.The learned counsel for the petitioner stated that there has been no recovery from the present petitioner and it is also stated that A3 had been granted bail.

5.However, it is contended on behalf of the respondent that A3 had been secured on prisoner on transit warrant and there has been no recovery from A3 but from A1 and A2, who were both present together, it should be considered as being in conscious possession of 21 tablets of MDMA-ecstasy weighing 10.15 grams.

6.Even in the earlier application for bail had been dismissed on 30.03.2023 in Crl.O.P.No.5279 of 2023, wherein, it had been observed that the twin conditions under Section 37 of NDPS Act had not been satisfied and there are no further change in circumstance except for final report having been filed.



WEB COPY



Crl.OP.No.26236 of 2023

C.V.KARTHIKEYAN, J.

vk

7.Let the trial be proceed. At this stage, this Court is not inclined to grant bail to the petitioner.

8.Hence, this Criminal Original Petition stands dismissed.

20.11.2023

vk

Crl.O.P.No.26236 of 2023