



Crl.O.P.No.202 of 2023

T.V.THAMILSELVI, J.

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The petitioner, who was arrested and remanded to judicial custody on 20.09.2021 for the alleged offence under Sections 8 (c) r/w 20(b), (ii), (C) & 29(1) of NDPS Act, in C.C. No.107 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on due search there was seizure of contraband from the unlawful possession of the accused to the tune of 450 gms of Methamphetamine. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner was innocent and he is no way connected with the alleged offence and that there is no material on record to connect this petitioner to the crime. According to him, the mandatory condition were not complied with by the respondent police. He further submitted that the petitioner is no criminal past and suffering from incarceration from 20.09.2021. Hence, she prayed to grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner, along with other accused, was



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found in possession of commercial quantity of 550 gms of Methamphetamine.

By pointing out that there is a specific bar under Section 37 of NDPS Act for grant of bail to the petitioner, who is accused of offences involving commercial quantity of contraband. He would submit that investigation is still pending. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts that the quantity seized from the accused is commercial quantity. The trial is not completed and also considering gravity of offence committed by the petitioner, and now the trial is begun and there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, the trial court is directed to complete the trial and dispose the case within a period of four months from the date of receipt of copy of this order.

06.01.2023

vsn

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