



Crl.OP.No.864 of 2023

Crl.O.P.No.864 of 2023

G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 12.12.2021 for the offences punishable under Sections 8(c), 22(c), 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.1166 of 2021, seeks bail.

2. There are totally seven accused and the petitioner has been arrayed as A4. The case of the prosecution is that, on receiving secret information, the respondent police had conducted a raid at Korattur Railway Station on 11.12.2021 at about 14.30 hrs and found that A1 was in possession of 23 Nos of LSD Stamp along with a REDMI A2 mobile and A2 was in possession of 27 Nos of LSD Stamp along with OPPO F17 mobile and Rs.17,000/- cash. On the confession statement of A1 and A2, the petitioner along with other accused persons were arrested for possession of LSD Stamp. Hence, the respondent registered the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the investigation in this case has been



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completed and final report has also been filed. That apart, the petitioner has been suffering incarceration from 12.12.2021. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the total contraband involved in this case is about 10 LSD stamps, which is a commercial quantity and further the petitioner was also in conscious and constructive possession. He would also submit that this Court had dismissed the earlier bail petitions filed by the petitioner on 01.09.2022 in Crl.O.P.No.19392 of 2022 and on 29.09.2022 in Crl.O.P.No.23714 of 2022. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the quantity of the contraband seized from the accused, which is a commercial quantity and the grounds raised by the learned counsel for the petitioner in this regard can be considered only during trial, that apart, the petitioner failed to fulfil the twin conditions as contemplated under Section 37 of NDPS Act and this Court had already dismissed the earlier bail petitions filed by the petitioner and that there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is dismissed.

23.01.2023

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