



Crl.O.P.No.4211 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 8 read with 22 C of NDPS Act in R.R.No. 26 of 2023 in F.No. 48/1/14/2023/NCB MDS/4855, seeks anticipatory bail.

2. The case of the prosecution of the respondent is information was received that this petitioner was indulging in drug trafficking activities. He did not appear on 16.09.2023 before the respondent to explain his involvement. Since he did not appear also on 18.09.2023 having received further information about concealment of substantial quantity of Methamphetamine at his residence at No. 103, Tower No.2, Old No.7a, New No. 75, New Vaidhyathan Street, Behind Apollo Hospital, Tondiarpet, Chennai, a team of the respondent Officials went over to that place and conducted a search and seized 497 gms of white coloured crystalline substance which was later found to be Methamphetamine.



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3. The learned counsel for the petitioner stated that the petitioner was not present at that place and that his wife was present and thereafter produced a string of document to the effect that the wife was admitted to Apollo Hospital. The mahazar is very much available and in that, the two daughters have signed. The petitioner is absconding from that particular date. The learned counsel submitted that the petitioner is suffering from liver disease and that the respondent have not issued any notice to the petitioner for appearance. They can only serve the copies to whoever is available in the house. The daughter was present. Those aspects are besides the point and questions could always be put to the Investigating Officer about the manner in which search was conducted.

4. The respondent have produced documents to show that the search was conducted and mahazar was prepared and contraband, namely, Methamphetamine of 497 gms have been seized from the residence of the petitioner herein.



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5. The petitioner has produced what he calls a sequence of events and states that his wife was admitted to hospital on 18.09.2023 at 19.39 hours till 19.49hours. These are aspects that can be examined during the course of trial. The wife can enter into the witness box as witness but at this stage I reject all those statements. They have been created for the purpose of this case.

6. It is very specifically stated by the respondent that on 19.09.2023, the petitioner was summoned under Section 67 of the NDPS Act and this summons was received by his daughter. The learned counsel for the petitioner did not disclose the address where the petitioner is as on date. He is absconding. He had concealed 497 gms of Methamphetamine in his own house. His two daughters also reside there. This concealment can never be accepted. The arguments advanced are more out of frustration than with substance. I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this Petition stands dismissed.



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7. The Officials of the respondent are directed to present in Court on 27.04.2024 at 02.15 p.m., to inform about the securing of the petitioner herein.

8. Call the matter on 27.04.2024 at 02.15 p.m., under the caption 'for reporting compliance.'

21.03.2024

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