



Crl.O.P.No.8688 of 2024

T.V.THAMILSELVI, J.

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 01.12.2023 in Crime No.750 of 2023, for the offences punishable under Sections 8(c), 22(c) & 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985, seeks bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offence, whereas, he has been falsely implicated in this case, since he was having some previous cases. He further submitted that the petitioner is suffering incarceration from 01.12.2023 and he is ready to abide any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

3. The respondent has filed a detailed counter.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police raised objection for granting bail to the petitioner stating that the petitioner was found to be in illegal possession of 58 grams of Amphetamine, which is a commercial quantity and he had brought the same from Andhra Pradesh in order to sell it for his personal gain.



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5. He further submitted that petitioner is a habitual offender, having 16 previous cases and he has not satisfied the conditions contemplated under Section 37 of NDPS Act. Therefore, if he is released on bail, there is a possibility of him absconding and not available for further investigation. Hence, he prayed for dismissal of the petition.

6. Taking into consideration the facts and circumstances of the case and the submission made by the learned counsel on either side and taking note of the antecedents of the petitioner and also considering the fact that the petitioner has not satisfied the twin conditions required under Section 37 of NDPS Act, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

25.04.2024

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