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Crl.O.P.No.9615 of 2024

T.V.THAMILSELVI, J.

The Criminal Original Petition has been filed seeking to enlarge the petitioner on interim bail in C.C.No.478 of 2023, pending trial on the file of the Principle Special Court for EC & NDPS Act Court, Chennai in connection with Crime No.336 of 2022 registered for the offence under Sections 9A, 22(C), 20(b)(ii)(A) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the investigation in this case has been completed and the case was taken up for trial in C.C.No.478 of 2023, pending trial on the file of the Principle Special Court for EC & NDPS Act Court, Chennai. He also submitted that the petitioner is suffering incarceration from 20.09.2022 and since the petitioner's elder daughter's puberty function is scheduled this month, he sought for interim bail to the petitioner.



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3. Learned Government Advocate (Crl.Side) appearing for the respondent raised objection for granting bail to the petitioner stating that it is the case, where, the accused were found to be in illegal possession of 200 grams of Methamphetamine, which is a commercial quantity and 150 grams of Ganja. He further submitted that the total recovery was made only from the petitioner, against whom, 4 previous cases of similar nature are pending. He also submitted that the petitioner has not satisfied the twin conditions required under Section 37 of NDPS Act and further, the case in C.C.No.478 of 2023 is now stands posted for examination of LW1 and LW2, therefore, if he is released on bail, there is a possibility of him absconding and would derail the progress of the trial.

4. The respondent has filed a detailed counter.

5. Taking into consideration the above facts and circumstances of the case and the submissions made by the learned Government Advocate (Crl.Side), taking note of the antecedents of the petitioner and 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.

6. Accordingly, this Criminal Original Petition stands dismissed.

24.04.2024

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