



CrI.O.P.No.14442 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/A2 who was arrested and remanded to judicial custody on 23.12.2023, for the offences under Section 8(c) read with 22(c), 25 and 29(1) of the NDPS Act in Crime No.742 of 2023, seeks bail.

2. It is the case of the prosecution that the respondent had received information about two persons selling Narcotic substances near Kodungaiyur Parvathi Nagar Bus Stop. This information was entered in the general diary and thereafter, the respondent had proceeded to that place and had taken in custody the two accused. They were found in possession of 80 strips of 15 tablets each of Nitravet-10 (Nitrazepam tablets 1P-10 MG). So far as this petitioner/A2 is concerned, the number of Nitravet tablets seized is 1200.

3. Though the learned counsel for the petitioner stated that the weight is less than commercial quantity, the weight actually of the said 1200 Nitravet tablets is 0.566 gms, which is commercial quantity. Learned counsel for the petitioner placed reliance on an order passed by this Court with



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respect to A3, Rajaram in Crl.O.P.No.6975 of 2024 by order dated 25.04.2024.

4. The distinguishing factor is that from A3 there has been no seizure of any contraband at all. Even from A1, the seizure was of intermediate quantity. But from this petitioner, the seizure is commercial quantity. It had been stated that as a matter of fact, A4 could be an imaginery or fake person. Therefore, further enquiry was made and a written requisition was also given to the Principal of Sri Nallazhagu Nadar Polytechnic College in Redhills. It had been stated that there was no such person in the name of A4 who had studied in the College since 2015 and therefore, the name was used only to coverup and to receive contraband articles through online purchases. The contraband had also been forwarded to the Forensic Science Laboratory and report had also been received, wherein it had been stated that Nitrazepam had been revealed in the said samples. This petitioner had used a fake name Shaby for online orders of drug tablets and the other two accused also referred to him as Shaby alone.



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5. Taking into consideration the seriousness of this offence and the fact that the petitioner was involved in purchasing psychotropic substances through online and supply it to the general public, and the seizure being commercial quantity and there being no ground raised in the petition or in the arguments about Section 37 of NDPS Act, I am not inclined to grant bail to the petitioner. Thus the Criminal Original Petition stands dismissed.

25.07.2024

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