



Crl.O.P.No.15504 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who was arrested and remanded to judicial custody on 07.02.2022, in R.R.No.06 of 2022 in NCB F.No.48/1/02/2022-NCB/MDS, on the file of the respondent police, registered for the alleged offence punishable under Sections 8(c) and 22(C), 25, 27A, 28 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 as amended and punishable under Section 8(c) r/w Section 22(c) and 29 of NDPS Act, 9 seeks bail.

2. Learned counsel appearing for the petitioner submitted that this is the second bail petition filed by the petitioner. He further submitted that the petitioner is an innocent person and he has been falsely implicated in this case, as if the petitioner, who is only the driver of the truck, and he does not know anything about the consignment loaded in the truck. He further submitted that the petitioner is suffering incarceration from 07.02.2022 and he is ready to abide any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.



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3. The learned Special Public Prosecutor appearing for the respondent police submitted that the petitioner along with other accused had involved in illicit trafficking of 11 kgs of Methamphetamine, which is a commercial quantity, in a truck bearing Reg.No.TN-18-AD-1478 from Moreh via Guwahati to Chennai and the same was seized by the respondent police. He further submitted that this petitioner was actively participated in the said occurrence. He also submitted that the case has been taken up on file in CC.No.226 of 2022 and the trial has been commenced, PW-6 was also examined. However, he vehemently opposed for the grant of bail to the petitioner.

4. Heard the learned counsel for the petitioner and the learned Special Public Prosecutor for NCB cases and also perused the materials available on record.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Special Public Prosecutor for NCB cases, this Court is of the view that the seized contraband is a commercial quantity and it is alleged to be recovered from the possession of the petitioner, and 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.

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6. Accordingly, this Criminal Original Petition stands dismissed. However, the learned trial Judge is directed to complete the trial as expeditiously as possible, within a period of two months from the date of receipt of a copy of this order.

30.07.2024

drl



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drl

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