



Crl.O.P.No.12550 of 2024

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T.V.THAMILSELVI, J.

The petitioners, who were arrested and remanded to judicial custody on 14.07.2023 for the offences punishable under Sections 8(C) r/w 22(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985, on the file of the respondent police, seeks bail.

2. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have nothing to do with the alleged offence. He further submitted that the petitioners are no way connected, whereas, the petitioners were falsely implicated in this case, since there was no recovery from these petitioners. He also submitted that the petitioners are suffering incarceration from 14.07.2023. He further submitted that the petitioners are 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.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police raised objection for granting bail to the petitioners stating that the petitioners along with the other accused had illegally transported MDMA (Ecstasy) Tablet – 21 Nos, which contains 12.43 grams, which is a commercial quantity. He further submitted that there was no recovery from these petitioners, based on the confession, they were arrested. He further submitted that A2 has 18 previous cases, including one NDPS case and A3 has got 20 previous cases, including one NPS Case, pending against them. He also submitted that the investigation in this case has been completed and the case has also been taken up for trial in C.C.No.13 of 2024 on the file of the learned Principal Special Judge, EC and NDPS Court, Chennai. He further submitted that the petitioner hails from the state of Andhra Pradesh and therefore, if he is released on bail, there is a possibility of him absconding and not available for further proceedings.

5. Heard the learned counsel for the petitioners and the learned



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Government Advocate (Crl.Side) and perused the materials available on record.

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 huge quantity of contraband, which is also a commercial quantity, smuggled by the accused and also considering the fact that the petitioners has not satisfied the twin conditions required under Section 37 of NDPS Act and also considering the bad antecedents of the petitioners, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, this Criminal Original Petition stands dismissed.

24.06.2024

drl

T.V.THAMILSELVI, J.



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