



Crl.O.P.No.15923 of 2024

T.V.THAMILSELVI, J.

The petitioner/A1, who was arrested and remanded to judicial custody on 14.02.2020, in C.C. No.91 of 2020 pending on the file of the I Additional Special Judge, Special Court for Exclusive Trial of Cases under NDPS Act, Chennai, registered for the alleged offence punishable under Section 8(c) r/w 22(c), 28 and 29 of NDPS Act, 1985 seeks bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that on the secret information received on 13.02.2020, the petitioner along with other accused was found to be in possession of the alleged contraband of 5 kgs of methamphetamine, during house search at No.12, Vijayanagar, 2nd street, Valasaravakkam, Chennai. He further submitted that based on the confession of the arrested accused, this petitioner was impleaded as an accused person. The final report has been filed in 2020 and there is no progress in the trial. He further submitted that the petitioner is suffering incarceration from 14.02.2020 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. Mr.N.P.Kumar, the learned Special Public Prosecutor appearing for the respondent police submitted that the petitioner along with other accused was found to be in illegal possession of 5 kilograms of Methamphetamine. He further submitted that the contraband seized from the petitioner and others is commercial quantity and there is absolutely there is no change of circumstances and prayed for dismissal of the bail petition. He further submitted that the co-accused has been released on bail, and all the witnesses are examined and further Investigation Officer was also examined, and further, the petitioner hails from the State of Srilanka. He further submitted that if the petitioner is released on bail, he would tamper the witnesses and hamper the investigation. However, he opposed for the grant of bail to the petitioner.

4. Considering the grave nature of offence and also considering the facts and circumstances of the case and also taking note of the fact that the contraband seized is a commercial quantity and hence, the twin conditions under Section 37 of NDPS Act are not satisfied in this case, this Court is not inclined to grant bail to the petitioner.



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5. Accordingly, this Criminal Original Petition stands dismissed. However, the trial Court is directed to dispose the case as expeditiously as possible, within a period of eight weeks from the date of receipt of a copy of this order and the petitioner is directed to appear before the trial court proceedings without fail.

05.07.2024

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