



Crl.O.P.No.14352 of 2024

T.V.THAMILSELVI, J.

The petitioner/A2, who was arrested and remanded to judicial custody on 08.02.2024, in R.R.No.2 of 2024 in NCB F.No.48/1/2024/NCB/MDS, on the file of the respondent police, registered for the alleged offence punishable under Section 8(c) r/w 22(c), 23(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 he was falsely implicated as if he, along with other accused was found in possession of the contraband. He further submitted that the petitioner is suffering incarceration from 08.02.2024 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.

3. The learned Special Public Prosecutor appearing for the respondent police submitted that based upon specific information, on 06.02.2024, a parcel was seized at Nagercoil Industrial Estate Sub-Post Officer, that the petitioner along with other accused was found to be in

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illegal possession of 53 grams of MDMA (Methylenedioxy methamphetamine) tablet and the said quantity involved in this case is commercial quantity. He further submitted that the investigation is still pending, and if the petitioner is released on bail, there is a possibility of tampering the evidences and threaten the witnesses. 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 seized contraband is of commercial quantity, which attracts Section 37 of NDPS Act and the petitioner failed to satisfy he twin conditions laid down under Section 37 of the Act, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition stands dismissed.

16.07.2024

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