



Crl.O.P.No.16729 of 2024

T.V.THAMILSELVI, J.

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The petitioner/A5, who was arrested and remanded to judicial custody on 06.02.2024, in Crime No.37 of 2024 on the file of the respondent police, registered for the alleged offence punishable under Section 8(c), 22(c), 25 and Section 29(1) of NDPS Act, 1985 seeks bail.

2. Learned counsel appearing for the petitioner submitted that this is the second bail petition and the earlier petition was dismissed by this Court in Crl.OP.12597 of 2024 dated 19.06.2024. He further submitted 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 contraband. He further submitted that the other co-accused were released on bail by this Court. He further submitted that the petitioner is suffering incarceration from 06.02.2024 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 Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner along with other accused was found to be in illegal possession of 58 grams of



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Methamphetamine powder, which is a commercial quantity. He further submitted that there was joint possession of 45 grams of Methamphetamine from the accused/A4 and A5, which is a 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 there is no change of circumstances, therefore, 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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