



Crl.O.P.No.18773 of 2024

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T.V.THAMILSELVI, J.

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The petitioner, who was arrested and remanded to judicial custody on 09.06.2023, for the alleged offence under Sections 8(c) r/w 22(c), 25 of the Narcotic Drugs and Psychotropic Substances Act, in C.C.No. 1038 of 2023 on the file of Principal Special Court under EC & NDPS Court, Chennai, in Crime No.89 of 2023 on the file of the respondent police, seeks bail.

2. Learned counsel appearing for the petitioner submitted that this is the third petition and the earlier petition was dismissed by this Court in Crl.OP.Nos.8868 & 11472 of 2024 dated 16.04.2024 & 20.06.2024 respectively. He further submitted that the petitioner is an innocent person and he has been falsely implicated in this case, as if the petitioner along with other accused was found in possession of 207 grams of Cocaine. He further submitted that the petitioner is in no way connected with the alleged offence as alleged by the prosecution. He further submitted that the petitioner is suffering incarceration from 09.06.2023 and he is ready to abide any stringent conditions that may be imposed by this Court. Hence, he prays for



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grant of bail to the petitioner.

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3. The learned Government Advocate (CrI.Side) appearing for the respondent police submitted that the petitioner along with other accused was found to be in illegal possession of 207 kgs of Cocaine, which is a commercial quantity. He further submitted that the petitioner is arrayed as A2. Investigation is completed and the samples of contraband sent to the Forensic Science Laboratory, Chennai for chemical analysis and the report was obtained on 18.07.2023 vide Nar.1026/2023. Charge sheet has been filed and the case is posted for framing of charges and next hearing date is 22.08.2024. The specific overt act against the petitioner is based on the confession statement of A1, in which it reveals that the petitioner bought the above contraband from Bangalore and selling the same along with A1 for their personal gain. However, he vehemently opposed for the grant of bail to the petitioner.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) and perused the materials available on record.

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5. Taking into consideration the quantity of the contraband seized from the petitioner is a commercial quantity, and and there is no change in circumstances, and the nature of the offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed. However, the petitioner is directed to engage the counsel before the trial Court and take all his defence before the trial court and co-operate for trial proceedings.

22.08.2024

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