



Crl. O.P. No.19640 of 2024

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P. DHANABAL.J.,

The petitioner / A1, who apprehends arrest in the hand of the respondent police for the offences punishable under Sections 8(c) r/w 22(c) & 29(1) of N.D.P.S. Act in connection with the Cr. No.30 of 2023, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner would contend that the respondent police have foisted a false case as against the petitioner for the alleged offences punishable under Sections 8(c) r/w 22(c) & 29(1) of N.D.P.S. Act and the petitioner has not committed any offence and in fact, the police secured the accused on 14.12.2023 itself, that according to the prosecution case, they recovered contraband from the petitioner on 13.12.2023 and also as per the FIR, the seized contraband is lemon yellow and the contraband sent to the forensic laboratory is brown and therefore, there are so many contradictions in respect of the identification of the properties, that therefore, the respondent police have registered a false case against the petitioner, that the petitioner is in custody from 14.12.2023 and there is no previous case pending against the petitioner and therefore, he sought for grant of bail to the petitioner.

3. The learned Government Advocate (Criminal side) appearing for



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the respondent would submit that the contraband property recovered from the petitioner is commercial quantity and the alleged contradictions pleaded by the petitioner can be decided at the time of trial and not at this stage and investigation was completed and charge sheet was filed and that since the quantity is commercial quantity, he strongly opposed to grant bail to the petitioner.

4. Heard both sides and perused all the materials available on record.

5. Considering the submissions putforth on either side, considering the gravity of offences and also the quantity involved in this case is commercial quantity and the allegations levelled by the petitioner in respect of the contradictions are to be decided at the time of trial and not at this stage, I am declined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

03.09.2024

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P.DHANABAL,J
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To
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- 1.The II Additional Special Judge, Special Court for EC & NDPS Act,
Chennai.
2. The Inspector of Police, NIB CID, Chennai.
- 3.The Public Prosecutor, High Court, Madras.

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