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CRL O.P. No.23613 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.10.2024

CORAM

The Hon'ble Mr.Justice P.DHANABAL

CRL OP.No.23613 of 2024

Prasanth S/o. Vasudevan Nair

... Petitioner / Accused-3

Vs

State rep. by:-

The Inspector of Police,
NIB CID Police Station,
Chennai.

... Respondent

[Cr. No.37 of 2024]

PRAYER: - The Criminal Original Petition is filed under Section 483 of

B.N.S.S., praying to grant bail to the petitioner / Accused-3 in Cr. No.37

of 2024 on the file of the respondent police.

For Petitioner : Mr.N. Nishar Ahamed

For Respondent : Mr.S. Vinoth Kumar

Government Advocate [Criminal side]

ORDER

The petitioner / Accused-3, who was arrested and remanded to judicial custody on 21.07.2024 for the offences punishable under Sections 8(c) read with 20(b)(ii)(C) and 29(1) of the NDPS Act in Cr.



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No.37 of 2024 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 21.07.2024, based on the secret information, the Inspector of Police, CIU, Chennai along with police team proceeded to the place of occurrence near Koyambedu Metro Railway Station bus stand and rounded up the three accused who were found in illegal possession of 21 kgs of dry ganja. Hence the case.

3. The learned counsel for the petitioner would contend that false case has been registered against the petitioner for the offences under Sections 8(c) read with 20(b)(ii)(C) and 29(1) of the NDPS Act and he was arrested and remanded to judicial custody on 21.07.2024. As per the prosecution case, the petitioner, who has been arrayed as A3, along with other accused were found in possession of 21 kgs of Ganja and that this petitioner had possessed only 7 kgs of contraband, which is not a commercial quantity. There is no previous case pending against this petitioner. Hence, he prayed that the petitioner may be released on bail.

4. The learned Government Advocate (Criminal Side) would



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submit that the petitioner along with other accused had illegally possessed 21 kgs of Ganja. A1 had possessed 8 kgs of Ganja, A2 had possessed 6 kgs and A3 had possessed 7 kgs of Ganja. This petitioner is A3 and this petitioner has a previous case of similar kind of offence and the same is also pending. The total quantity of contraband involved in this case is a commercial quantity. Investigation is pending and hence he strongly opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering the grave nature of offences and considering the fact that the quantity of materials involved in this case is a commercial quantity and investigation is not yet completed, I am declined to grant bail to the petitioner at this stage.

7. Accordingly, the criminal original petition is dismissed.



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index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
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To

- 1.The II Fast Track Court, Egmore.
- 2.The Public Prosecutor, Madras High Court, Chennai.
3. The Inspector of Police, NIB CID Police Station, Chennai.

P.DHANABAL,J

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