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CRL O.P. No.24017 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.10.2024

CORAM

The Hon'ble Mr.Justice P.DHANABAL

CRL OP.No.24017 of 2024

Venkatesh S/o. Govindasamy

... Petitioner / Accused-3

Vs

State rep. by:-

The Inspector of Police,
T1 Ambattur Police Station,
Chennai District.

... Respondent

[Cr. No.236 of 2024]

PRAYER: - The Criminal Original Petition is filed under Section 439 of Cr.P.C. / 483 of B.N.S.S., praying to grant bail to the petitioner / Accused-3 in Cr. No.236 of 2024 on the file of the respondent police.

For Petitioner : Mr.P. Muthamizhselvakumar

For Respondent : Mr.S. Vinoth Kumar

Government Advocate [Criminal side]

ORDER

The petitioner / Accused-3, who was arrested and remanded to judicial custody on 10.03.2024 for the offences punishable under Sections 8(c) r/w 22(c), 25, 29(1) of the NDPS Act in Cr. No.236 of 2024



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on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 10.03.2024 at about 14.30 hours, the petitioner was found in illegal possession of 180 gms of Methamphetamine of ganja without any valid license. Hence the case.

3. The learned counsel for the petitioner would contend that the petitioner has been falsely implicated in this case based on the confession statement given by the co-accused A1 and A2, that no recovery of contraband was made from this petitioner, but he was arrested and remanded to judicial custody on 10.03.2024 for the offences punishable under Sections 8(c) r/w 22(c), 25, 29(1) of the NDPS Act. He is no way connected with the commission of the said offences. He is the sole breadwinner of his family. The petitioner was detained under Goondas Act and thereafter, the said order was revoked. Hence, he prayed that the petitioner may be released on bail.

4. The learned Government Advocate (Criminal Side) would submit that this petitioner has been arrayed as A3, that on 10.03.2024 at 14.30 hours, based on the secret information about the illegal transport of



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Ganja, the Sub-Inspector of Police along with his team went to the scene of occurrence near Ambattur to Redhills Road, Ambattur Kallikuppam Police Checkpost and intercepted the vehicle namely Santro Xing XS and while searching the vehicle, the respondent police found the accused 1 and 2 with illegal possession of 180 grams of Methamphetamine. The said vehicle belongs to this petitioner. Based on the confession statements of A1 and A2, the premises of this petitioner was searched and 60 grams of Methamphetamine was seized and the same is a commercial quantity 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, that as per the prosecution, from this petitioner 60 grams of Methamphetamine was recovered and he is the owner of the vehicle, which is used for



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commission of offences, I am declined to grant bail to the petitioner at this stage.

7. Accordingly, the criminal original petition is dismissed.

19.10.2024

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

To

- 1.The Principal Special Court under EC & NDPS Act, Chennai.
- 2.The Public Prosecutor, Madras High Court, Chennai.
3. The Inspector of Police, T1 Ambattur Police Station, Chennai District.
4. The Superintendent of Police, Central Prison, Puzhal, Chennai.

P.DHANABAL,J

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