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CRL O.P. No.27628 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.12.2024

CORAM

The Hon'ble Mr. Justice P.DHANABAL

CRL OP.No.27628 of 2024

Prakash Khati

... Petitioner / Accused-2

Vs

State rep. by:-

The Inspector of Police,
K-3 Aminjikarai Police Station,
Chennai District.
[Cr. No.469 of 2024]

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to grant bail to the petitioner/Accused in Cr. No.469 of 2024 on the file of the respondent police.

For Petitioner : Mr. C.M. Ramakrishnan

For Respondent : Mr. S. Balaji,
Government Advocate (Criminal side)

ORDER

The petitioner / Accused who was arrested and remanded to judicial custody on 29.08.2024 for the offence punishable under Sections



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8(c) read with 22(c) and 29(1) of NDPS Act in Cr. No.469 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 29.08.2024, the respondent police found the accused with illegal possession of Pveeyon Spas plus tablets and 2400 tablets were recovered from the house of A1 and 480 tablets from A3. Hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner for the offences punishable under Section 8(c) read with 22(c) and 29(1) of NDPS Act. The petitioner is an innocent and he is nothing to do with the alleged offences. He is in judicial custody from 29.08.2024. This petitioner has been arrayed as an accused in this case, only based on the confession statement of the co-accused. Therefore prayed to grant bail to the petitioner.

4. The learned Government Advocate (criminal side) would submit that this case was registered as against the petitioner and others for the illegal transportation of the banned products and Pveeyon Spas plus tablets and 2400 tablets were recovered from the house of A1 and 480



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tablets from A3, which are commercial quantity. Investigation is not yet completed. 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 made on either side, considering the fact that quantity of contraband involved in this case is a commercial quantity and investigation is not yet completed, this Court is declined to grant bail to the petitioner at this stage.

7. Accordingly, the Criminal Original Petition is dismissed.

18.12.2024

index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
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P.DHANABAL,J
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To

1.The Public Prosecutor, Madras High Court, Chennai.

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2. The Inspector of Police, K-3 Aminjikarai Police Station, Chennai.

3. The Superintendent of Police, Central Prison, Puzhal.

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