



CrI.O.P.No.7208 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who was arrested and remanded to judicial custody on 09.02.2022, in NCB F.No.48/1/02/2022-NCB/MDS pending on the file of the Special Judge for NDPS Act cases at Chennai, registered for the alleged offence punishable under Section 8(C) read with Section 22(c) and 29 of the NDPS Act, seek bail.

2. Learned counsel appearing for the petitioner submitted that this is the third bail petition and the earlier petitions are dismissed by this Court. He further submitted that the petitioner is an innocent person and he has been falsely implicated in this case, as if the petitioner was found in illegal possession of 11 kgs of Amphetamine. He further submitted that based on the confession of the arrested accused/A1, this petitioner was falsely implicated as an accused in this case. He further submitted that the petitioner is suffering incarceration from 09.02.2022 and he is ready to abide any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

3. Mr.N.P.Kumar, learned Special Public Prosecutor appearing



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for the respondent police submitted that based on the specific information received from the informant, the NCB officers of Narcotics Control Bureau, Chennai intercepted the vehicle bearing Registration No.TN 18 AD 1478 and the petitioner along with other accused were found in illegal possession of 11 kgs of white crystalline substance believed to be Methamphetamine, which is a commercial quantity. He further submitted that the petitioner herein is arrayed as A4, as per the final complaint in CC.No.226 of 2022. During the investigation, it was revealed that A2 had received money through hawala Hundiyaal from one Siva of Vavuniya (Srilanka) for the procurement of Methamphetamine. The petitioner herein sent photos of Methamphetamine to A2 and A6 and asked them to send 19.10 lakhs money through hawala for the same. At the instigation of the petitioner, A6 arranged for 20.30 lakhs from A2 and sent 19.10 lakhs to Moreh. A6 received 1.20 lakhs as a commission, and with the help of the commission money, the accused were planned to buy methamphetamine and further attempted to export it to Srilanka without any valid license or documents. He further submitted that the investigation is almost completed and charge has also been filed. Now, the trial has also taken place, during which 5 witnesses were examined and 6 witnesses are yet to be examined. He also submitted that the



petitioner is derailing the trial by not engaging the counsel therefore, if he is released on bail at this stage, he will not be available for trial.

Hence, strongly opposed for granting bail to the petitioner.

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

5. Taking into consideration the facts and circumstances of the case and the submission made by the learned counsel on either side and taking note of the fact that the petitioner has not satisfied the twin conditions required under Section 37 of NDPS Act and there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

10.07.2024

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drl

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