



CRL O.P. No.30417 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.12.2024

CORAM

The Hon'ble Mr. Justice P.DHANABAL

CRL OP.No.30417 of 2024

Hemlal Gurung

... Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
K3 Aminjikarai Police Station,
Chennai.
[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. K. Anandha Raja

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

ORDER

The petitioner / Accused who was arrested and remanded to judicial custody on 30.08.2024 for the offence punishable under Sections



CRL O.P. No.30417 of 2024

8(c), 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 the petitioner along with 7 other accused were found in possession of 3840 nos. of Pyeevon Spas plus capsules weighing 12 mgs of brown sugar. Hence the case.

3. . The learned counsel for the petitioner would contend that the respondent police have registered a false case against this petitioner for the offences under Sections 8(c), 22(c) and 29(1) of NDPS Act. In fact, the petitioner is an innocent and there was no recovery made from this petitioner. He has been arrayed as A7. Co-accused were released on bail. 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 for the offences under Sections 8(c), 22(c) and 29(1) of NDPS Act for the illegal possession of 3840 nos. of Pyeevon Spas plus capsules weighing 12 mgs of brown sugar and the quantity of contraband involved in this case is a commercial quantity. Investigation is not yet completed and hence if he is granted bail, he would abscond. Hence, he strongly opposed to grant



CRL O.P. No.30417 of 2024

bail to the petitioner.

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

6. Considering the rival submissions made on either side, the grave nature of offences and the 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.

20.12.2024

index: Yes/No

Internet: Yes/No

Speaking/Non Speaking order

mjs

To

- 1.The Public Prosecutor, Madras High Court, Chennai.
- 2.The Inspector of Police, K3 Aminjikarai Police Station, Chennai.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai

P.DHANABAL,J

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CRL O.P. No.30417 of 2024

CRL O.P. No.30417 of 2024

20.12.2024