



Crl.O.P.No.28946 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 06.07.2022 for the alleged offence under Sections 8(c), 20(b)(ii)(A) & 22(c) of NDPS Act in C.C.No. 543 of 2022 pending on the file of Special Judge, II Addl. Special Court for Exclusive Trial of Cases under NDPS Act at Chennai in Crime No.143 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 06.07.2022, on a secret information, when the respondent police conducted a check-up at Kasimedu Power kuppam subway, the petitioner along with other accused were found standing suspiciously, on search, they were found in possession of 8 nos. of LSD stamps (totally weighing 130 mg.) and seized the same. Hence, the complaint.



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3. The learned counsel for the petitioner submitted that this is the fifth petition seeking for bail and he is in judicial custody from 06.07.2022 for more than 1 year and four months. He would submit that there is no specific overt act attributed against this petitioner. He would submit that he has not at all committed any offence as alleged by the respondent police and he is no way connected with the occurrence. He would further submit that the investigation is almost completed. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, there are 6 accused involved in this case and the petitioner is arrayed as A1. He would submit that the petitioner is an habitual offender and he is having 6 previous cases, in which, one previous case is similar in nature and he is not cooperating with the investigation. He would submit that now the trial is in progress and the case is posted for framing of charges and if he is released on bail, he will tamper the witnesses and hamper the investigation. Hence, he vehemently



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WEB COM opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offence committed by the petitioner and according to the prosecution, he is a main person indulging in possession of commercial quantity of contraband and the case is now posted for framing of charges also considering the the bad antecedents, if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

04.01.2024

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