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Crl.O.P.No.2508 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2508 of 2025

Shoaib Mohammed

... Petitioner/Accused

Vs.

State through
Inspector Of Police
M3, Puzhal Police Station,
Chennai.
Cr.No.954 Of 2024.

... Respondent

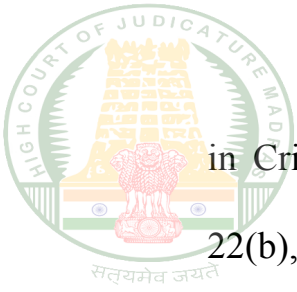
PRAYER: This Criminal Original Petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.432 of 2024 on the file of the respondent police.

For Petitioner : Mr.D.Yuvarajan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 24.11.2024, seeking bail



in Crime No.954 of 2024 registered for the offence under Sections 8(c), 22(b), 25 & 29(1) of NDPS Act, 1985.

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2.The case of the prosecution is that on 19.11.2024, based on the secret information, the respondent police went to the scene of occurrence near Putharagam Madananguppam Road, Kolathur, Chennai, wherein they found that the petitioner along with other accused were in illegal possession of 82.56 grams of Methamphetamine. Thereafter, the respondent police arrested the accused persons A1 and A2, and obtained their confession statement. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that based on the confession of the arrested accused, this petitioner was arrayed as an accused in this case and the petitioner is languishing in prison for the past 64 days. Hence, he prayed for grant of bail to the petitioner.

4. The respondent has filed a detailed counter.



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5.Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there are totally 14 accused in this case and the petitioner is ranked as A9. He further submits that the petitioner was arrested based on the confession of the arrested accused -8, and the petitioner herein was found in possession of 8.61 grams of Methamphetamine, which is a commercial quantity and that it attracts Section 37 of NDPS Act, thereby, the petitioner have to satisfy the twin conditions as contemplated under Section 37 of NDPS Act. Hence, he strongly opposed for the grant of bail to the petitioner.

6. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

7. It is the case where the petitioner along with other accused are stated to be in conscious possession of 82.56 grams of Methamphetamine, which is a commercial quantity and in such circumstances, this Court is of the opinion that the petitioner has not satisfied the conditions required under



G.K.ILANTHIRAIYAN, J.

drl

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Section 37 of NDPS Act for grant of bail. Thereby, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition stands dismissed.

14.02.2025

drl

Copy to:

1. Inspector Of Police
M3, Puzhal Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

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