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Crl.O.P.No.4474 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.4474 of 2025

Gummala Seshu

...Petitioner/Accused No.1

Vs.

The Inspector of Police,
NIB-CID Salem Police,
Salem District.
(Crime No.60 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.60 of 2024 pending investigation on the file of the respondent police.

For Petitioner : Mr.C.Deepakkumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 09.04.2024, seeking bail



in Crime No.60 of 2024 registered for the offence under Sections 8(c) read with 20(b)(ii)(C), 25 & 29(1) of NDPS Act, 1985.

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2. The case of the prosecution is that the petitioner along with the other accused was found in illegal possession of 270 Kgs of ganja. Hence the case.

3.The learned counsel for the petitioner submitted that the allegations are false; that he is an AIDS patient and that in any case, considering the period of incarceration, the petitioner may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) would submit that the petitioner has two previous cases, against which, one case was filed by the Eluru Rural Police, State of Andhra Pradesh in Crime No.267 of 2021 and another case was registered by the NCB, Hyderabad in Crime No.48/1/3 of 2023, in both the cases, the petitioner was in possession of commercial quantity. He further submitted that based on the very same medical ground that he is an AIDS Patient, he had obtained bail and thereafter, was involved in the similar offences.



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5. Considering the aforesaid facts of the case and the petitioner has bad antecedents and he has not satisfied the twin conditions under Section 37 of NDPS, this Court is not inclined to grant bail to the petitioner at this stage.

6. Accordingly, this Criminal Original Petition is dismissed.

10.03.2025

rkp

Copy to:

1.The Inspector of Police,
NIB-CID Salem Police,
Salem District.

2.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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