



Cr1.O.P.No.6870 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Cr1.O.P.No.6870 of 2025

Gemmeli Kosumo

... Petitioner

Vs.

State Rep. by
Inspector of Police
PEW Tambaram Unit

... Respondent

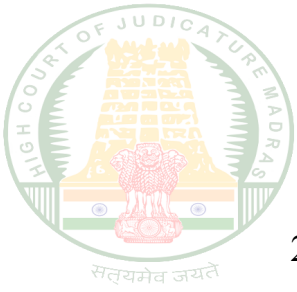
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.268 of 2024 on the file of the respondent.

For Petitioner : Mr.N.Chandran

For Respondent : Ms.J.R.Archana
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the Petitioner, who was arrested and remanded to judicial custody on 07.11.2024, seeking bail in Crime No.268 of 2024 registered for the offence under Section 8(c) r/w.22(b)(II)(C) of NDPS Act, 1985.



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2.The case of the prosecution is that on secret information, the petitioner was found in possession of 22 kgs of ganja.

3.Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case; that the petitioner is in custody from 07.11.2024; that the petitioner is a senior citizen; that final report has also been filed; that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4.Per contra, learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that contraband seized from the petitioner is a commercial quantity and hence, the case against the petitioner attracts rigors of Section 37 of NDPS Act. He also submitted that the petitioner has no previous cases against him; that charge sheet has been filed before the trial Court and trial would be concluded in the near future.

5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the



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materials available on record including the counter affidavit filed by the respondent.

6.It is seen that the petitioner was in possession of commercial quantity of contraband and the petitioner has not made out any ground to satisfy the twin conditions of Section 37 of NDPS Act. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

25.03.2025

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To

1.The Inspector of Police
PEW Tambaram Unit

2.The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.
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