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Crl.O.P. No.8216 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P. No.8216 of 2025

Aasif

... Petitioner/ Accused No.1

Vs.

State Rep. By SHO,
NIB-CID Police Station,
Villupuram. (Crime No.15 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.15 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr. V.R. Bharath

For Respondent : M/s. J. R. Archana
Government Advocate (Crl. Side)



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ORDER

Petition seeking bail in respect of Crime No.15 of 2024 registered for the alleged offences punishable under Section 8(c), r/w 20(b)(ii)(C), 29(1) and 25 of the NDPS Act, 1985, is on board for consideration.

2. The case of the prosecution is that on 21.07.2024, based on a secret information, the respondent police went to the spot and found that the petitioner along with other accused were involved in illegal transportation of 258.300 kilograms of Ganja in a vehicle. Hence, this case.

3. The learned counsel appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case; that the petitioner is of unsound mind, hence he cannot be stated that he is in conscious possession of the contraband; that the petitioner has been arrested and remanded to judicial custody on 21.07.2024; and that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and to appear and co-operate for the investigation, and prayed for grant of bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and on instruction submitted that the petitioner hails from Kerala and he is arrayed as A1 in this case; that the petitioner has no previous cases; and that the investigation is pending.

5. The petitioner has not made out any ground to satisfy the twin conditions under Section 37 of the NDPS Act, apart from stating that the petitioner is of unsound mind. The petitioner has not even substantiated the said submission. Hence, this Court is not inclined to grant bail to the petitioner at this stage.

6. Accordingly, this Criminal Original Petition is dismissed.

20.03.2025

stn



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SUNDER MOHAN, J.

stn

To

The Station House Officer,
NIB-CID Police Station,
Villupuram. (Crime No.15 of 2024)

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