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CRL OP NO.9537 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.9537 of 2025

Bonangi Shiva

Petitioner

Vs

The Intelligence Officer

NCB, Chennai.

Respondent(s)

Prayer:

Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail in C.C.No.820 of 2024 on the file of the Principal Special Court for EC and NDPS Act Cases at Chennai pending trial.

For petitioner(s): Mr.O.Chembulingam

For Respondent(s): Mr.N.P.Kumar
Special Public Prosecutor for
NCB cases

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested on 04.04.2024, seeking bail in C.C.No.820 of 2024, registered for the offences under Sections 8(c) r/w Sections 20(b)(ii)(C) and 27 (A), 28 and 29 of the NDPS Act.



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WEB COPY 2.The case of the prosecution is that petitioner along with other accused were in possession of 5.777 kgs of Hashish Oil.

3.The learned counsel for the petitioner would submit that petitioner was arrested on 04.04.2024 and he is in custody for 11 months and considering the period of incarceration, he may be released on bail.

4.The learned Special Public Prosecutor appearing for the respondent would submit that the petitioner has not satisfied the twin conditions under Section 37 of the NDPS Act and hence bail cannot be granted.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) for the respondent and also perused the materials available on record.

6. It is seen from the petition that the petitioner has not made out any case to satisfy the twin conditions under Section 37 of NDPS Act. The petitioner was in possession of 5.777kgs of Hashish oil, which is



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commercial quantity. Hence, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, this Criminal Original Petition is dismissed.

22.04.2025

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SUNDER MOHAN, J.

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To

1. Station House Officer,
Tittakudi Police Station,
Cuddalore District.

2. The Principal District and Sessions Judge,
Cuddalore District, Cuddalore

3. The Judicial Magistrate, Thittakudi.

4. The Public Prosecutor,
High Court Madras.

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