



CrI.O.P.No.31104 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.31104 of 2024

Mariappan,
S/o. Muthuirulappan.

... Petitioner

Versus

Union of India,
Rep. By its Jr. Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit - 77, Chennai.
(R.R.No.32 of 2021)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, pending trial in C.C.No.83 of 2022 before the I-Additional Judge Special Court for Exclusive trial of cases under NDPS Act, Chennai.

For Petitioner : M/s. R. Saranya
For Respondent : Mr. N. P. Kumar,
Special Public Prosecutor. (DRI cases)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 26.08.2021, seeking bail in C.C.No.83 of 2022 pending on the file of the I-Additional Judge Special Court for Exclusive trial of cases under NDPS Act, Chennai, for a case was registered



CrI.O.P.No.31104 of 2024

in R.R.No.32 of 2021 in NCB.F.No.48/1/09/2021 NCB/MDS for the offences punishable under Sections 8(C) r/w 22, 22(C), 27A, 28 and 29 of the Narcotic Drugs and Psychotropic Substances Act, (NDPS), 1985.

2. The case of the prosecution is that the petitioner, along with other accused persons, was found to be involved in the illegal transportation of 7.900 Kg of Amphetamine. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. The learned counsel further submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and he prayed to grant bail to the petitioner.

4. The learned Special Public Prosecutor (DRI cases) appearing for the respondent police submitted that the petitioner and other accused illegally transported 7.900 Kg of white crystalline substance believed to be Amphetamine and further considering the gravity of the offence, he vehemently opposed the grant of bail to the petitioner.



Crl.O.P.No.31104 of 2024

5. Heard the learned counsel for the petitioner and the learned Special Public Prosecutor (DRI cases) appearing for the respondent Police and perused the materials available on record.

6. Considering the submissions made on either side, the fact that the petitioner was found in possession of commercial quantity of contraband and he has not satisfied the twin conditions under Section 37 of the NDPS Act and since the trial has already commenced, this Court is not inclined to grant bail at this stage to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

01.04.2025

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To

1. The I-Additional Judge Special Court for
Exclusive trial of cases under NDPS Act, Chennai.
2. Union of India,
Rep. By its Jr. Intelligence Officer, Narcotics Control Bureau,
Chennai Zonal Unit - 77, Chennai.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.

3/4



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Crl.O.P.No.31104 of 2024

SUNDER MOHAN, J.

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Crl.O.P.No.31104 of 2024

01.04.2025