

DEPOSITION OF WITNESSES**IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE E.C.****COURT,****PUDUKKOTTAI****C.C. No: 145/2022****Deposition of Witnesses for PW2**

Name	:	Mr.Sumeetkumar	Caste:
Father's Name	:		Calling:
Village	:		Religion:
Taluk	:		Age:

Solemnly affirmed in accordance with the provisions of Act X of 1873 on the day of 04.07.2025.

Accused is present.

Chief Examination:-

I am currently working as Superintendent of GST & C.Ex., Trichy – II Division, Trichy CGST Commissionerate. At the time of this case, I was working as Senior Intelligence Officer, DRI, Trichy Regional Unit, Trichy. Based on a credible information passed on by the Deputy Director, DRI, Tuticorin Regional Unit, (who was then holding additional charge of DRI, Trichy Regional Unit) to the effect that a parcel containing NDPS Substances which is destined for Maran Vadiveel, 4/6 Queens Road, Westmead, NSW-2145 is currently at M/s. NKS Worldwide Express, New No. 1A, Old No. 80C, Kanthaiya Arumugam Pillai Street, Srirangam, Tiruchirappalli, Tamil Nadu – 620006 with a direction to examine the parcel and to take further action as required urgently as the sender is following up the parcel, I along with my subordinate Officer viz., Anil Kumar, who was then working as Intelligence Officer at the same Unit, identified and visited the above mentioned business premises on 22.09.2021 at around 18:30 Hrs along with two independent witnesses and informed A Nanda Kumar, Proprietor of M/s NKS Worldwide Express who was present at the time of visit, about the purpose of the visit for which the proprietor of M/s NKS

Worldwide Express accepted. We offered for personal search by said A. Nandakumar, Proprietor of M/s NKS Worldwide Express, for which he refused politely. On enquiry, he informed that at around 12:30 Hrs on 21.09.2021, two numbers (02 Nos.) of carton boxes were received from one Nantha Kumar (for better appreciation, accused herein) which were intended to be sent to Australia by courier service and the same was collected and transported to their office by one Auto driver R Kesavan, whose services were frequently utilized by them and identified the said two carton boxes. Then we requested A Nanda Kumar, Proprietor of M/s NKS Worldwide Express to call said Nantha Kumar from whom the said boxes were received. *Meantime, another set of DRI Officers were also informed and requested to bring said Nantha Kumar to the said business premises of NKS Worldwide Express.* On arrival of said Shri. Nantha Kumar, we informed them that we intended to conduct the detailed examination of the said two carton boxes and also explained the relevant provisions of the NDPS Act, 1985. Shri A.Nantha Kumar identified the said two carton boxes and all of them agreed for the examination of the said carton boxes and accordingly detailed examination was conducted. During the examination of the said boxes total 16 nos. transparent polythene packets containing white colour crystalline powder concealed inside the inner walls of the said two carton boxes and in some of the textile madeup items contained therein. The test conducted with the Narcotic Test Kit reported positive for Pseudoephedrine and total weight was ascertained as 5.600 kgs. On reasonable belief that the white crystalline like substances believed to be Pseudo-Ephedrine attempted to be smuggled out of India through courier, was carried in contravention of NDPS Act, 1985, the same was seized by me under Mahazar proceedings dated 23.09.2021.

The recovered white colour crystalline powder believed to be Pseudo-Ephedrine was kept inside one stainless steel box covered with Khada Cloth, marked as Letter P1 and then sealed with seal of DRI, Trichy. The packing material and covered cargo were also seized for further proceedings. It is pertinent to mention that the above proceedings were started on 22.09.2021

at 18:30 Hrs and ended at 03:00 Hrs on 23.09.2021, next date. The said Mahazar has been already marked as **Ex.P.1.**

Further, Shri. A. Nantha Kumar was requested to accompany the officers to the office of DRI, Regional Unit, Trichy for further enquiry. Shri A. Nantha Kumar vide his statement given before the Senior Intelligence Officer under Section 67 of the NDPS Act, 1985 *inter alia* accepted that he had knowledge of the presence of NDPS Substances concealed in the carton box and finally accepted his mistake. The said Statement dated 23.09.2021 of Shri A. Nantha Kumar S/o Athimoolam has been already marked as **Ex.P.4.**

Hence, it appeared that Shri A. Nantha Kumar, S/o Athimoolam has violated provisions of the NDPS (Regulation of Controlled Substance) Order, 2013 read with Section 9A of the NDPS Act, 1985 which is punishable under Section 25A of the Act *ibid*, I arrested Shri. A. Nanthakumar under the relevant provisions of the NDPS Act, 1985 at 1430 Hrs on 23.09.2021. The said Arrest Memo dated 23.09.2021 has been marked as **Ex.P.5.** Further, a Statutory Report dated 23.09.2021 under Section 57 of the NDPS Act, 1985 has also submitted before the Deputy Director, DRI, Tuticorin Regional Unit (then holding additional charge of DRI, Trichy Regional Unit). The said Report dated 23.09.2021 under Section 57 of the NDPS Act, 1985 has been marked as **Ex.P.6.**

Then, Shri A. Nanthakumar S/o Athimoolam was produced before the Hon'ble JM-I Court, Trichy on the same day ie., 23.09.2021 and an application dated 23.09.2021 under Section 52A(2) of the NDPS Act, 1985 was also filed

before the Hon'ble JM-I Court, Trichy. The said Remand Application and Application under Section 52A(2) of the NDPS Act, 1985. On 28.10.2021 I have received the chemical analysis report(Test Report) from the Assistant Chemical Examiner of Customs House laboratory, Chennai and we said Test report has been marked as **Ex.P.7**. I have assisted the DRI, Senior Intelligence Office M.Balaji for this case investigation purpose.

Cross Examination of the Accused:-

Question:- Did you have made recovery of any Contraband from this Accused?

Answer:- No.

Question:- Did you received any statement from Kesavan and to connect this Accused in this case?

Answer:- I have not received statement from Kesavan. But the statement of Kesavan was taken down from Officer Shri.V.Alagarasan, then Senior Intelligence Office, DRI Unit, Trichy.

Question:- Whether you identified the two person who given the Contraband to the Accused?

Answer:- Shri. A.Nanthakumar, S/o.Athimoolam in his a statement dated.23.09.2021 given before Senior Intelligence Officer has informed that the said two carton boxes was given by 2 persons but have not given full details of said 2 persons. In respect of out of two person one person whats app number is 9345801862. During the investigation it was revealed that the said number has been issued in name of Smt.Yasmin, w/o.Shri. Sathik of Coimbatore.

Question:- whether any action taken against Smt.Yasmin, W/o.Shri. Sathik of coimbatore?

Answer:- The Deputy Director of DRI, Coimbatore Regional Unit was requested to conduct enquiry related to the address and particulars of said Smt.Yasmin, W/o.Shri. Sathik of coimbatore and he reports that the said address is bogus and no such address or addressee exists in the said locality.

Question:- Whether did you identified Kaviyashri of Malaysia?

Answer:- No. since no formal address or actionable details of said Kaviyashri was provided by Shri.A.Nanthakumar, S/o.Athimoolam hence no action could be initiated.

Question:- In this case you did not went to the spot and you did not participate in preparation of Mahazar on the spot itself and the Mahazar was only prepared in our office to foist a false case against this accused?

Answer:- No. I denied the same. It is a True case.

Question :- I merely based on the Courier parcel without any address this accused that with false motive this case foisted this accused and all documents were prepared in DRI , Trichy office?

Answer :- No. I denied the same.

Question :- I merely resile the prosecution case and just deposed as detailed in document in favour of prosecution?

Answer :- No. I denied the same.

Re-examination:-

Nil.

Taken down by me in open court
read over to the witness and
admitted by him to be correct.

Addl. District Judge/ Presiding Officer,
Spl. Court for EC/NDPS Act case,
Pudukkottai.

DEPOSITION OF WITNESSES
IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE E.C.
COURT, PUDUKKOTTAI
C.C. No: 145/2022

Deposition of Witnesses for PW3

Name	:	Mr. Micheael Raja	Caste:
Father's Name	:		Calling:
Village	:		Religion:
Taluk	:		Age:

Solemnly affirmed in accordance with the provisions of Act X of 1873 on the day of 04.07.2025.

Accused is present.

Chief Examination:-

I am presently working as Senior Intelligence Officer, DGGI, Trichy Regional Unit, Trichy. At the time of this case, I was working as Senior Intelligence Officer, DRI, Trichy Regional Unit, Trichy. On 22.09.2021, I have received an information from My Deputy Director, DRI, Tuticorin Regional Unit, (who was then holding additional charge of DRI, Trichy Regional Unit) to the effect that a parcel containing NDPS Substances which is destined for Maran Vadiveel, 4/6 Queens Road, Westmead, NSW-2145 is currently located at M/s. NKS Worldwide Express, New No. 1A, Old No. 80C, Kanthaiya Arumugam Pillai St., Srirangam, Tiruchirappalli, Tamil Nadu – 620006. The Deputy Director had further informed that Shri. Sumeet Kumar, Senior Intelligence Officer and Shri. Anil Kumar, Intelligence Officer, DRI, Trichy have already been directed to reach the above said place for examination of the said parcels. Thereafter, I contacted Shri.

Sumeet Kumar, SIO who then informed me that the suspected parcels were sent by one Shri. Nantha Kumar (accused herein) and further informed me that he has requested the proprietor of the above mentioned Courier Company viz., M/s. NKS Worldwide Express to call said Shri. Nanthakumar. Hence, I along with other officer also find out the location of said Nantha Kumar and requested him to accompany us to the premises of M/s. NKS Worldwide Express, Srirangam for which he agreed. On our arrival at said premises, Shri Nantha Kumar identified the said two carton boxes and agreed for the examination of the said carton boxes and accordingly detailed examination was conducted which resulted in seizure of 5.6 Kgs of crystalline powder believe to be Pseudo-Ephedrine under Mahazar proceedings dated 23.09.2021. *I have also read over the content of Mahazar Proceedings to all in Tamil language also.*

Further, Shri. A. Nantha Kumar was requested to accompany the officers to the office of DRI, Regional Unit, Trichy for further enquiry. Shri A. Nantha Kumar vide his statement given before the me under Section 67 of the NDPS Act, 1985 *inter alia* accepted that he had knowledge of the presence of NDPS Substances concealed in the carton box and finally accepted his mistake. The said Statement dated 23.09.2021 of Shri A. Nantha Kumar S/o Athimoolam has been already marked as **Ex.P.4.** and also recorded statement from Shri. Nanthakumar, proprietor of NKS Worldwide Express, Srirangam on 23.09.2021 is marked as **Ex.P.8** and 24.09.2021 statement was marked as **Ex.P.9.** In addition I have also recorded statement of 57 of NDPS Act from Shri.S.A.Syed and marked as **Ex.P.10.**

Cross examination:-

Question:- Did you have made recovery of any Contraband from this
Accused?

Answer:- No.

Question:- Whether you explained to the accused that accused
whether know english both ready and write ?

Answer:- I have explained everything in english only and he
understood the same. More over he was working as Web
designer in OPus infinity at Trichy.

Question:-The accused knew and speak tamil only you are merely
making statements in English and by compulsion we have
obtained the Signatures of the accused in this statement?

Answer:- I strongly denied because accused is a web designer and
very well known english.

Question:- Whether you have filed any document to show that
accused was a web designer?

Answer:- No. I have not obtained any documents to show the
accused as web designer. but he only told that he was a
web designer.

Question:- He never be a web designer and for the case only he a web
designer?

Answer:- I strongly denied

Question:- You just did a Deskwork by providing a possibility to escape the real accused in this case and connected this innocent accused with ill motive?

Answer:- No. I strongly denied.

Question :- I merely resile the prosecution case and just deposed as detailed in document in favour of prosecution?

Answer :- No. I denied the same.

Re-examination:-

Nil.

Taken down by me in open court
read over to the witness and
admitted by him to be correct.

Addl. District Judge/ Presiding Officer,
Spl. Court for EC/NDPS Act case,
Pudukkottai.