

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No. 2852 of 2015

ORDER :

The petitioners, who are accused Nos.1 & 2 in Crime No.192 of 2014 of Puttur Police Station, Chittoor District, filed the present application under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in the above crime registered for an offence punishable under Section 20(b)(ii)(c) of N.D.P.S. Act, 1985 (for short 'the Act').

The case of the prosecution is that on 20.10.2014 at about 2.30 p.m. the police arrested the petitioners while they were illegally transporting 150 sealed packets of ganja containing 300 kgs in a Ford Icon Car bearing registration No.TN 32U 5878.

Learned counsel for the petitioners submits that as the entire investigation is over, the request of the petitioners may be considered.

On the other hand, learned Additional Public Prosecutor opposed the application contending that the quantity of ganja seized from the possession of the petitioners is commercial and as such they are not entitled for any relief.

A perusal of the averments in the report would disclose that the petitioners were found transporting 300 kgs of ganja illegally. In view of the bar under Section 37 of the Act and the quantity seized from the possession of the petitioners being commercial, their request is rejected.

Accordingly, the Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

7th April, 2015

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