



CrI.OP.No.14291 of 2022

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G.K.I.LANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 21.09.2019 at the hands of the respondent police for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(C) and 29 of NDPS Act, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 20.09.2019 based on a specific information, the respondent police arrested A1 to A4 and seized 303.250 kilograms of Ganja. On the confession of the 1st accused, A5 was arrested and remanded to judicial custody.

3. The learned counsel for the petitioner would submit that the petitioner is the friend of the 1st accused due to urgent financial needs, the 1st accused borrowed a sum of Rs.2,00,000/- and he also promised to return the money shortly. Except this relationship the petitioner is no way connected to the other accused persons and as such, the entire case has been foisted against the petitioner by the prosecution. According to him, only on the confession of the 1st accused, the petitioner has been implicated in this case. However, the petitioner was arrested and remanded to judicial custody on 03.02.2020 without collecting any materials.



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Lpp

4. A perusal of the records reveals that though the petitioner has been implicated as an accused on the confession of the 1st accused, there are no material to implicate the petitioner as an accused under the NDPS Act. The petitioner was in possession of contraband, he, as financier, has paid a sum of Rs.2,00,000/- to the 1st accused to purchase the contraband. That apart, the petitioner had made calls to the 1st accused very frequently and totally 324 times. The financial transaction between them reveals that there are 18 transactions from 04.07.2019 to 19.09.2019 to purchase the contraband and the petitioner is also in conscious possession of contraband.

5. Taking into consideration the above circumstances of the case and the fact that the petitioner was also in possession of the contraband, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

28.06.2022

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CrI.O.P.No.14291 of 2022