



Crl.O.P.No.17094 of 2022

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Dr.G.JAYACHANDRAN,J.

The third bail petition is filed alleging that the prosecution has completed the investigation and filed final report for offences under Sections 8(c) r/w 20(b)(ii)(b), 22(c), 25 and 29(1) of NDPS Act and also under Sections 147 & 148 of IPC.

2. The case of the prosecution is that 1.5 kgs of Ganja and 1125 numbers of Nitrovet tablets weighing about 876 grams were seized during the raid conducted on 19.07.2021. This petitioner on seeing the raiding party, has fled and later secured by the respondent-police and remanded to Judicial Custody on 03.01.2022.

3. Learned counsel for the petitioner submitted that the accused was not in the place of occurrence at the time of seizure. However, shown as absconding accused. The vehicle alleged to have been kept by the accused persons for storing the contraband, does not belong to the accused. The antecedents of the petitioner are all related to IPC offences and not NDPS offence and therefore, the reasoning for opposing the bail petition are not justified.



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4. This Court, after considering the submissions and perusing the record finds that the final report indicates the involvement of the petitioner herein and the contraband seized are of commercial quantity. When there is ground to believe that the petitioner has engaged in the offence of possessing psychotropic substance commercial quantity and narcotic drug, grant of bail is restricted under Section 37 of the NDPS Act. Hence, the bail petition is dismissed.

25.07.2022

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