



Crl.O.P.No. 18188 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 31.12.2019 for the alleged offence under Sections 8(c) r/w 20(b)(ii)(C) and 25 of Narcotic Drugs and Psychotropic Substances Act and later altered to Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of the NDPS Act in Crime No. 1528 of 2019 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the respondent police was on regular checkup, they found that the petitioner was found in possession of 25 kgs. of ganja. Hence, the complaint.

3. The learned counsel appearing for petitioner would submit that this is the second petition seeking for bail and she is in judicial custody for more than 2 ½ years. She would also submit that she has been falsely implicated in this case as if she is found in possession of 25 kgs. of ganja. Apart from that, now the change of circumstances is that she is suffering



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with abnormal uterine bleeding for more than 7 months. In spite of treatment at prison dispensary, she is facing issues through lack of sanitary and there is no medical facility in the prison. She would also submit that the trial was also not in progress for the past one year and three witnesses alone examined. Hence, due to medical condition, she prayed to grant bail to the petitioner.

4. The learned Special Government Pleader appearing for respondent has raised strong objection stating that at the time of arrest, she carried 25 kgs. of ganja. He admits that she has no previous case, but the quantity of ganja is 25 kgs., which is a commercial quantity. He would further submit that out of 50 kgs. of ganja, 25 kgs. of ganja was recovered from her, which is a commercial quantity. Hence, he has strongly objected to grant bail to the petitioner.

5. On seeing the fact that the trial was commenced and three of witnesses examined, if she is released on bail, she would will hamper the investigation and tamper the evidence. Hence, this Court is not inclined to



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grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed. However, considering her illness, the jail authorities are directed to give proper treatment to her in the Government Hospital for her illness of abnormal uterine bleeding and the trial court is directed to dispose the case within a period of three months from the date of receipt of this order.

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