



Crl.OP.No.19062 of 2022

Crl.O.P.No.19062 of 2022

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**G.K.ILANTHIRAIYAN, J.**

The petitioner, who was arrested and remanded to judicial custody on 24.04.2022 for the offences punishable under Sections 8(c) read with Section 20(b)(ii)(c) and 20(b)(ii)(B) of NDPS Act in Crime No.221 of 2022, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused was found in possession of 21 kgs of ganja.

3. The learned counsel for the petitioner would submit that, though the petitioner was present in the scene of occurrence, there is absolutely no recovery from the petitioner and the alleged contraband has been seized from other accused and the petitioner has been implicated based on the confession statement of arrested accused. Hence, he prays for grant of bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) submitted that there are seven previous cases pending against the petitioner. Hence, he vehemently opposed for grant of bail to the petitioner.

5. On perusal of the relevant records, it is seen that, there were totally five accused, in which, the petitioner along with other accused were found in possession of 21 kgs of ganja, which is a commercial quantity, that apart, the petitioner failed to fulfil the twin conditions as contemplated under Section 37 of NDPS Act and that apart, the petitioner is having seven previous cases pending against him. Therefore, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this criminal original petition is dismissed.

**23.08.2022**

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