



Crl.OP.No.19032 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 27.03.2022 for the offences punishable under Sections 8(c) 20(b)(ii)(C) & 29(1) of NDPS Act, in crime No.8 of 2022 on the file of the respondent police, seeks bail.

2. According to the case of the prosecution, petitioner along with another accused were in possession of 39.7 kgs of Ganja.

3. The learned counsel appearing for the petitioner submitted that the petitioner is aged about 71 years and she cannot even lift any weight, since she had under gone surgery on her spinal cord. She was fixed with pedicular screw on L4 L5 S1 level Laminectomy and discectomy L4 L5 and L5 S1. Therefore, she can't even walk and as such, entire case of the prosecution is a false put up case.

4. On perusal of the seizure mahazar produced by the learned Additional Public Prosecutor appearing for the respondent, there are two accused persons, in which the petitioner is arrayed as A1. She was in



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possession of 21 Kgs of Ganja. Therefore, the petitioner was in conscious possession of contraband and it is a commercial quantity. The grounds raised by the petitioner cannot be considered for bail of the petitioner, since the operation she had under gone is in the year 2019. That apart, the petitioner failed to fulfil the twin conditions as contemplated under Section 37 of NDPS Act.

5. Therefore, this Court is not inclined to grant bail to the petitioner and this Criminal Original Petition is dismissed.

12.08.2022

mpl



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