



Crl.OP.No.19282 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 22.09.2021 for the offences punishable under Sections 8(c), 20(b)(ii)(C) 25, 29(1) of Narcotic Drugs & Psychotropic Substances Act, 1985 in crime No.28 of 2021 on the file of the respondent police, seeks bail.

2. The learned counsel appearing for the petitioner submitted that the petitioner is the driver of the Honda Jazz car bearing registration No.TN 07 BL 3123 and he has nothing to do with the other accused persons who were traveling in the car. The alleged contraband was seized only from the other accused persons and not from the petitioner. He further submitted that this Court granted bail to the driver of the another car TATA Indica bearing registration No.TN 10 AD 3843 in Crl.O.P.No.4561 of 2022.

3. This Court considered the bail in Crl.O.P.No.4561 of 2022 for the reason that A3 is not a professional driver and the car does not belongs to A3 and therefore, bail was granted to A3. Whereas, the case of the petitioner



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is that he is a professional driver and A6 is the owner of the car. He was asked to drive the car. Therefore, he has full knowledge about the contraband which was possessed by the other accused persons and he was in the conscious possession of contraband weighing 50 Kgs of Ganja.

4. That apart, the petitioner failed to satisfy the twin conditions under Section 37 of the NDPS Act. That apart, this is the second bail petition and there is no change in circumstances. Therefore, this Court is not inclined to grant bail to the petitioner and this Criminal Original Petition is dismissed.

23.08.2022

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