



Crl.OP.No.19999 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 04.03.2021 for the offences punishable under Sections 8(c) read with Section 20(b)(ii)(C), 25 & 29(1) of NDPS Act in Crime No.18 of 2020, seeks bail.

2. There are totally five accused and the petitioner has been arrayed as A2. The case of the prosecution is that the petitioner along with other accused were found in possession of 48 kgs of Ganja. The respondent seized 16 kgs of ganja from the petitioner. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. That apart, the petitioner has been suffering incarceration from 04.03.2021. Hence, he prays for grant of bail to the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent would submit that, the total contraband involved in this case is about 48 kgs of ganja, which is a commercial quantity and further the petitioner was also in conscious and constructive possession. He further submitted that there are three previous cases pending against the petitioner. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the bad antecedents of the petitioner and also considering the quantity of the contraband seized from the accused which is a commercial quantity, that apart, the petitioner failed to fulfil the twin conditions as contemplated under Section 37 of NDPS Act. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

01.09.2022

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