



Crl.OP.No.20104 of 2022

Crl.O.P.No.20104 of 2022

WEB COPY

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) read with Section 20(b)(ii)(C), 25 & 29(1) of NDPS Act in Crime No.28 of 2021, seeks bail.

2. The case of the prosecution is that, based on the secret information, the respondent had intercepted Tata Indica bearing Reg.No.TN 10 AD 3843 and in search, it was found that accused A1 to A3 were found in possession of 60 kgs of ganja in 3 bags(each 20 kgs) and in Honda Jazz bearing Reg.No.TN 07 BL 3213, the petitioner along with other accused (A4 to A6) were found in possession 50 kgs of ganja in 2 bags. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is the driver of the car and he has been falsely implicated in this case. That apart, the petitioner has been suffering incarceration from 22.09.2021. Hence, he prays for grant of bail to the petitioner.



Crl.OP.No.20104 of 2022

G.K.ILANTHIRAIYAN, J.

Sma

4. The learned Additional Public Prosecutor appearing for the respondent would submit that, the total contraband involved in this case is about 110 kgs of ganja, which is a commercial quantity and further the petitioner was in conscious and constructive possession. Hence, he vehemently opposed to grant bail to the petitioner.

5. 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.

6. Accordingly, this criminal original petition is dismissed.

01.09.2022

Sma

Crl.O.P.No.20104 of 2022