



Crl.O.P.Nos.20357 and 20982 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners, who were arrested and remanded to judicial custody on 30.03.2021 at the hands of the respondent police for the offences punishable under Sections 8(c) r/w 20(b)(ii)(c), 29(1) of NDPS Act, 1985, in Crime No.110 of 2021, seek bail.

2. Heard both sides.

3. The case of the prosecution is that the petitioners were in joint possession of 5 kgs of Ganja. Hence, the complaint.

4. The learned counsel for the petitioners submitted that the petitioners have been falsely implicated in this case and they are ready and willing to abide by any stringent conditions that may be imposed on them. Hence, he prays for grant of bail to the petitioners.

5. The learned Additional Public Prosecutor submitted that there are totally 3 accused in which the petitioners are arrayed as A2 and A3. The petitioners were in constructive possession of 5 kgs of Ganja. It is a commercial quantity. Hence, he vehemently opposed to grant bail to the petitioners.



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6. Even according to the case of the prosecution, the contraband seized from the petitioners were only 5 Kgs. Based on their confession, the respondent Police went to the house of A1 and seized 135 Kgs of Ganja. Now, the charge sheet has been laid and it is pending for trial. Though, the petitioners were in possession of 5 Kgs of Ganja, both the petitioners stayed along with A1 and all the accused persons were in joint possession of Ganja.

7. Taking into consideration the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioners.

8. Accordingly, these Criminal Original Petitions are dismissed.

02.09.2022

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