



Crl.OP.No.21146 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 14.01.2022 at the hands of the respondent police for the offences punishable under Sections **8 (c) read with 20 (b) (ii) (C) and 29(1) of NDPS Act, 1985** in Crime No.37 of 2022, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of 31 Kgs of Ganja illegally. Hence, a case was registered as against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the offence as alleged by the prosecution. He would further submit that this the second bail petition filed by the petitioner. Earlier petition filed by the petitioner was dismissed on 10.06.2022 in Crl.O.P.No.12440 of 2022. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that the petitioner along with other accused persons were found in possession of 31 Kgs of Ganja illegally and it is a commercial quantity. Therefore, the petitioner failed to fulfill the twin conditions as contemplated under Section 37 of the NDPS Act, 1985. Hence, he opposed grant of bail to the petitioner.

5. Taking into the consideration the facts and circumstances of the case and that there is no change of circumstances after the previous dismissal order was passed on merits, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is dismissed.

02.09.2022

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