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Crl.OP.No.22905 of 2022

Crl.O.P.No.22905 of 2022

A.D.JAGADISH CHANDIRA, J.

The petitioner/A3, who was arrested and remanded to judicial custody on 03.01.2022 for the offences punishable under Sections 8(c) read with 20(b)(ii)(C), 29(1) of NDPS Act in Crime No.9 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 03.01.2022 at about 18.00 hour, the respondent police received a secret information about the illegal sale of ganja at Mint Bus Stop. After entering the same in the General Diary and obtaining permission from the Inspector of Police, the Sub-Inspector of Police along with his team went to the scene of occurrence. At that time, one person was found standing with one white gunny bag. On seeing the police party, he tried to escape but was immediately caught by the respondent police. During enquiry, the said gunny bag was found in possession of 3 packets (10 Kgs X 2 packets and 6 Kgs X 1 Packet) of ganja totally weighing 26 Kgs and the same was seized under the cover of seizure mahazar. In the presence of witnesses, the confession statement was obtained from A1, wherein he had stated that he bought 96 Kgs of ganja from Andhra Pradesh and was selling to the other



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accused persons A2, A3/petitioner herein and A4. Hence, the case.

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3. The learned counsel appearing for the petitioner would submit that petitioner is an innocent person and she has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that, based on the A1 confession statement, on 04.01.2022, the respondent police arrested the accused persons (A2 to A4) and obtained the confession from them and seized 26 Kgs of Ganja from A1, 22 Kgs of Ganja from A2, 24 Kgs of Ganja from A3/petitioner herein and 24 Kgs of Ganja from A4. After completion of investigation, the respondent police has filed charge sheet before the Special Court for EC/NDPS Act Cases, Chennai on 18.04.2022 and the same was taken on file vide C.C.No.110/2022 dated 25.07.2022 pending trial. He would further submit that there are 11 previous cases of similar nature pending as against the petitioner. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration the fact that the petitioner has not satisfied the ingredients of the twin conditions as contemplated under Section



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37 of NDPS Act, this Court is not inclined to grant bail to the petitioner.

Hence, this Criminal Original Petition is dismissed.

28.09.2022

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mpl

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