



Crl.OP.No.24282 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 25.12.2021 at the hands of the respondent police for the alleged offences punishable under Sections 8 (c) r/w 20 (b) (ii) (c) and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.1426 of 2021, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of 30 Kgs of Ganja illegally. Hence, a case was registered as against the petitioners.

3. The learned counsel for the petitioner submitted that there are two accused involved, in which, the petitioner is arrayed as A2. Even according to the prosecution, the 1st accused was in possession of 30 Kgs of Ganja and the petitioner was not present at the time of arrest of the 1st accused. The video footages were produced before this Court and only one accused was found in the video. The petitioner/A2 was not present at the time of the arrest of the 1st accused. Therefore, the respondent police foisted a false case as against the petitioner. Hence, he prays grant of anticipatory bail to the petitioner.



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4. A perusal of the records reveals that the petitioner is also present along with other accused. That apart, this Court can be able to found the accused in the CCTV footage produced before this Court and the petitioner along with other accused were found in illegal possession of 30 kgs of Ganja, which is of the commercial quantity.

5. Taking into consideration of the above facts and circumstances of the case and the petitioners failed to satisfy the twin conditions as contemplated under Section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

27.10.2022

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