



Crl.O.P.No.24008 of 2022

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A.D.JAGADISH CHANDIRA, J.

This criminal original petition has been filed seeking to enlarge the petitioner on bail in respect of Crime No.136 of 2022, on the file of the respondent Police.

2. The case of the prosecution is that on 04.04.2022 at about 03.15 hours, on receipt of a secret information regarding illegal sale of ganja and entering the same in the general diary, the Sub-Inspector of Police along with the Police team went to the scene of occurrence and intercepted the accused persons, who were found in illegal transportation of 80 kilograms of Ganja in their Honda Activa Vehicle bearing registration No.TN-05-TE-5132. The respondent have seized the contraband under the cover of seizure mahazar and arrested the accused persons and registered a case in Crime No.136 of 2022 under Sections 8(c) r/w 20(b)(ii)(C), 25, 29(1) of NDPS Act. Hence the case.



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3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that there is no possibility as per the prosecution that the petitioner has stated to have transported 80kilograms of ganja in Honda Activa Vehicle. He would further submit that the petitioner is in custody from 15.04.2022. He would also submit that the petitioner is prepared to comply with any stringent condition that may be imposed by this Court and he prays for grant of bail to the petitioner.

4. The respondent has filed a detained counter.

5. The Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioner along with the other accused had illegally transported 80 kilograms of ganja, which is a commercial quantity, in their two wheeler Honda Activa bearing registration No.TN-05-TE-5132. Therefore, he vehemently oppose to grant bail to the petitioner.



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6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

7. Taking into consideration the facts and circumstances of the case and also taking note of the quantity of the contraband which is a commercial quantity and that the petitioner has not satisfied the conditions under Section 37 of NDPS Act, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition stands dismissed.

13.10.2022

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