



CrI.O.P.No. 25474 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 31.12.2019 for the alleged offence under Sections 8(c) r/w 20(b)(ii)(C) and 25 of Narcotic Drugs and Psychotropic Substances Act and later altered to Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of the NDPS Act in Crime No. 1528 of 2019 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the respondent police was on regular checkup, they found that the petitioner was found in possession of 25 kgs. of ganja. Hence, the complaint.

3. The learned counsel appearing for petitioner would submit that this is the third petition seeking for bail. She is a woman, aged about 44 years and she has been falsely implicated in this case as if she is found in possession of 25 kgs. of ganja. She would submit that the petitioner was suffered with illness of uterus problem and she is in judicial custody for



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more than 3 years. She would also submit that the trial was also not in progress. Hence, due to medical condition, she prayed to grant bail to the petitioner.

4. The learned Special Government Pleader appearing for respondent has raised strong objection stating that totally 50 kgs of ganja was involved, which is more than commercial quantity and at the time of arrest, 25 kgs. of ganja recovered from her. He would submit that she along with her family members involved in the transportation of ganja. Furthermore, the charge sheet was filed and totally, four witnesses were examined and trial is in part-heard stage. He would submit that if he is released on bail, he would tamper the witness and hamper the investigation. But, the learned counsel for petitioner submitted that there is no possibility of tampering the evidence and hampering the investigation.

5. On seeing the fact that the contraband seized is more than commercial quantity, which was recovered from the petitioner as per the case of prosecution. Furthermore, if she is released on bail, she would will hamper the investigation and tamper the evidence. Hence, this Court is not



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inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed. However, considering her illness, the trial court is directed to dispose the case within a period of two months from the date of receipt of this order.

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