



Crl.OP.No.25786 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 18.02.2020 for the offences punishable under Sections 8(C) read with Section 20(b)(ii)(C) of NDPS ACT in Crime No.4482 of 2020, seeks bail.

2. It is seen that, there are totally 3 accused, in which, the petitioner is arrayed as A1. It is alleged that the petitioner/A1 was found in possession of 22 kgs of ganja and A2 was found in possession of 22 kgs of ganja and A3 was found in possession of 2 kgs of ganja. Hence, the case.

3. The learned counsel 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 he is ready and willing to abide by any strigent condition that may be imposed on him. Therefore, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the



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respondent would submit that the respondent police has completed the investigation and filed a final report before the II Additional Special Court for NDPS Act and the same has been taken cognizance in C.C.No.134 of 2021 dated 12.05.2021. The next date of hearing is 10.11.2022 for framing of charges. He would also submit that this the third bail petition filed by the petitioner. Earlier, this Court had dismissed the bail petitions in CrI.O.P.No.,11852 of 2022 and CrI.O.P.No.18530 of 2022 dated 13.06.2022 and 25.08.2022 respectively. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the quantity of the contraband seized from the accused, which is a commercial quantity and the grounds raised by the learned counsel for the petitioner in this regard can be considered only during trial, that apart, the petitioner failed to fulfil the twin conditions as contemplated under Section 37 of NDPS Act and this Court had already dismissed the earlier bail petition filed by the petitioner and that there is no change of circumstances. Hence, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is dismissed.

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