



Crl.OP.No.26222 of 2022

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WEB C **G.K.ILANTHIRAIYAN, J.**

The petitioner, who was arrested and remanded to judicial custody on 17.03.2022 for the offences punishable under Sections 8(c) r/w Section 20(b)(ii)(B) and 28 of NDPS Act in Crime No.73 of 2022, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were selling 10 kgs of Hahish oil and 1.250 gms of Ganga. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that this is the fourth bail petition filed by the petitioner. Earlier petitions filed by the petitioner were dismissed by this Court. He would further submit that the petitioner is ready and willing to abide by any stringent conditions as imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner along with other accused were selling 10 kgs of Hahish oil and 1.250 gms of Ganga. He also submitted that there is no change of circumstances after the



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previous dismissal orders passed by this Court. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that there are totally 2 accused, in which the petitioner is arrayed as A2. Though the Seizure Mahazar states the name of the first accused, the petitioner was also present along with A1 and they were jointly in constructive possession of the contraband and it is a commercial quantity.

6. Taking into consideration the facts and circumstances of the case and the bad antecedents of the petitioner and also the earlier petitions filed by the petitioner were dismissed by this Court and that there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

31.10.2022

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