



Crl.O.P.No.26283 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who was arrested and remanded to judicial custody on 16.12.2021 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(c) and 25 of NDPS Act in Crime No.16 of 2022, seeks bail.

2. The case of the prosecution is that on date on receiving a secret information, the Sub Inspector of Police, Anupparpalayam, Tiruppur City along with his team had conducted a vehicle check in Angeripalayam Road nearby to Kongu Vellalar Matric School and intercepted a car with two independent witness and found the accused was in possession of 350 kgs of Dry Ganja which is a commercial quantity. The dry Ganja has been seized and the accused was arrested. Hence the complaint.

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 the petitioner other than being the driver of the vehicle, he has nothing to do with the alleged offence. He



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would also submit that the petitioner is in custody from 17.12.2021 and thereby, he seeks for grant of bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the vehicle was intercepted along with two other persons and the petitioner was found to be in possession of 340 kgs of Dry Ganja, which comes under commercial quantity. He would submit that the charge sheet has been filed and the case has been taken on file in C.C.No.45 of 2022 on the file of the EC Court, Coimbatore and the case now stands posted for splitting up on 09.11.2022 and there are 18 witnesses. He would further submit that there is every possibility for the prosecution to complete the trial within a maximum period of six months from today. However, he opposed for grant of bail to the petitioner.

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



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6.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.

7.Accordingly, this Criminal Original Petition stands dismissed. However, the learned trial Judge is directed to complete the trial as expeditiously as possible preferably within a period of six months from the date of receipt of a copy of this order and deliver the judgment. It is made clear that the observations are made only for the purpose of disposing of the bail application and the trial Court shall not be carried away with any of the observations made in this petition.

31.10.2022

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