



Crl.O.P.No.28196 of 2022

Crl.O.P.No.28196 of 2022

WEB COPY

T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 06.08.2022 for the alleged offence under Sections 8 (c) r/w 20 (b) (ii)(c), 25 and 29(1) of NDPS Act in Crime No.136 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on a secret information that two persons at Ponpadi check post, where they were returning with ganja, and immediately, they went to the said place and at that time, two persons, who were proceeding to Tiruttani, the respondent waylaid enquired them and on search, they found 40 kgs. of ganja, 2 cell phones and a motor cycle from A1. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the seized contraband of 80 kgs. of ganja from the vehicle, which is seized by the respondent police from A2, in which he is no way connected with the case. He would submit that he has not at all committed any offence as alleged by



Crl.O.P.No.28196 of 2022

the respondent police and there is no property recovered from this petitioner.

He would submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 06.08.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner is arrayed as A1. He would submit that it is a case of commercial quantity and the respondent police recovered 80 grams of ganja from him and now the lab report is awaiting. He would submit that if he is released on bail, he would tamper the witnesses and hamper the investigation and the investigation is at the preliminary stage. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offence committed by the petitioner, 80 kgs. of ganja recovered from him, however, the learned counsel for petitioner submitted that no recovery was made from



Crl.O.P.No.28196 of 2022

WEB COPY

him and only to curtail his activity, NDPS Act is foisted against him, in which a detailed investigation is required in this case, lab report is also awaiting and there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, the respondent police is directed to submit a final report within a period of six weeks from the date of receipt of copy of this order.

22.12.2022

rpp



WEB COPY



Crl.O.P.No.28196 of 2022

T.V.THAMILSELVI, J.

rpp

Crl.O.P.No.28196 of 2022

22.12.2022