



Crl.OP.No.31322 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 23.07.2021 for the offences punishable under Sections 8(c), 20(b)(ii)(C), 25, 29 (1) of NDPS Act in CC.No.41 of 2022 on the file of the I Additional Special Court for NDPS Cases in respect of Crime No.1402 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 23.07.2021, when the respondent police along with their police patrol were on duty at about 09.30 a.m., a car bearing registration No.TN 67 AW 4950 was intercepted by the police. They found two persons namely Satheeshkumar and Pandian and they made search of the vehicle. They found 3 bags containing 40 Kgs of ganja in each bag, totally 120 Kgs and arrested the accused persons. Based on their confession, two accused persons Viz., Eshwaran and Suriyaprakash were arrested.

3. There are totally 7 accused, in which the petitioner is arrayed as A6. The petitioner and A7 were in possession of 120 Kgs of Ganja. Therefore, it is a commercial quantity and the petitioner failed to satisfy the twin conditions as contemplated under Section 37 of the NDPS Act. Though this is the fourth bail petition, there is no change of circumstances in this case. Hence, this Court is not inclined to grant bail to the petitioner and this Criminal Original Petition is dismissed.

23.12.2022

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