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CrI.O.P.No.158 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 24.12.2021 for the alleged offence under Sections 8 (c) r/w 20(b)(ii)(C) and 25 of NDPS Act, in C.C.No.161 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 25.12.2021 at about 1.30 hours, on receipt of secret information, the police team went to the spot and that time A1 and A2 were coming in the Chevarolay Optra LT Gray Color car bearing Registration No.AP 16 BG 0006 and when the car was searched 30 kgs of dried Ganja was found and it was seized. Both A1 and A2 were arrested and remanded. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner was innocent and he is no way connected with the alleged offence and that there is no material on record to connect this petitioner to the crime.



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According to him, the mandatory condition were not complied with by the respondent police. He further submitted that the petitioner is no criminal past and suffering from incarceration from 24.12.2021. Hence, she prayed to grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that there was due search and seizure of contraband from the unlawful possession of the accused and that the seized quantity 30 kgs of Ganja namely in fact of commercial quantity and hence, if the accused is released on bail he will either abscond or commit similar offence and that there is every possibility of him interfering with further investigation in the case. He further submit that investigation is yet to be completed. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts that there is quantity seized quantity 30 kgs of Ganja from the accused is commercial quantity. The trial is not completed and also considering gravity of offence committed by the petitioner, and now the trial is begun and there is possibility of tampering



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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 trial court is directed to complete the trial and dispose the case within a period of three months from the date of receipt of copy of this order.

06.01.2023

vsn



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