



CrI.OP.No.2045 of 2023

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T.V.THAMILSELVI, J.

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The petitioner who was arrested and remanded to judicial custody on **07.01.2022** for the offences punishable under **Sections 8(C) r/w 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985** in Crime No.3 of 2022, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner along with other accused was found in illegal possession of 21 kgs of dry ganja. 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 contraband recovered from this petitioner is only 12.5 kgs of ganja which is not a commercial quantity. He would also submit that the case has been taken up on the file of the Special Court for EC/NDPS Act, Salem in Spl.C.C.No.43 of 2022 and the petitioner is in judicial custody from 07.01.2022. Hence, he prays to grant bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) would submit that the petitioner along with the other accused were involved in illegal transportation of 21 kgs of Ganja, which is a commercial quantity. He would further submit that the final report has been filed and the case is taken up on the file of the Special Court for EC/NDPS Act, Salem in Spl.C.C.No.43 of 2022. He would also submit that there are 15 previous cases pending against him and if the petitioner is granted bail at this stage, he will abscond or tamper the evidence. Hence, he vehemently opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and the contraband involved in this case is commercial quantity and the previous bad antecedent of the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

31.01.2023

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