



Crl.O.P.No.1227 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) and 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 in C.C.No.115 of 2022 in connection with Crime No.56 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on receiving a secret information, the respondent Police along with his team conducted a vehicle checkup and they found the accused were in illegal possession of 240 kgs of Ganja. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the case has been taken up on the file of the learned Additional District and Sessions Judge for EC & NDPS Act



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cases, Salem in C.C.No.115 of 2022 and also stated that the case is still pending. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) submitted that the petitioner along with the other accused were involved in illegal transportation of 240 kgs of Ganja, which is a commercial quantity. He also stated that the final report has been filed and the case is taken up on the file of the learned Additional District and Sessions Judge for EC & NDPS Act cases, Salem in C.C.No.115 of 2022. He also submitted that there is no previous case pending against him. Hence, he vehemently opposed to grant bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case and also taking note of the quantity of the contraband which is a



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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.

23.01.2023

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