



Crl.OP.No.1455 of 2023

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested at the hands of the respondent Police and remanded to judicial custody on 23.07.2021 for the offences punishable under Sections **8 (c) r/w 20 (b) (ii) (c), 25 and 29(1) of NDPS Act**, in Crime No.1402 of 2021, seeks bail.

2. The case of the prosecution is that, the petitioner along with other accused were found in possession of 120 Kgs of Ganja. Hence, a case was registered as against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the other accused persons were granted bail. Further, the petitioner was arrested and remanded to judicial custody on 23.07.2021. He also submitted that the charge sheet has been laid and the petitioner is facing the prosecution. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner along with other accused were in conscious possession of 120 Kgs of Ganja. This is the fourth bail petition filed by the petitioner. Earlier petitions filed by the petitioner were dismissed by this Court. Hence, he vehemently opposed grant of bail to the petitioner.



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5. It is seen that there are totally 7 accused in which the petitioner is arrayed as A7. The petitioner was found in possession of 3 bags of Ganja weighing about 120 Kgs.

6. A perusal of records revealed that the petitioner was in possession of 3 bags of Ganja weighing about 120 Kgs. It is a commercial quantity. Further, the petitioner failed to satisfy the twin conditions as contemplated under Section 37 of NDPS Act and that there is no change of circumstances after the previous dismissal orders passed by this Court, this Court is not inclined to grant bail to the petitioner. However, the Trial Court is directed to complete the trial, within a period of six months from the date of receipt of a copy of this order.

7. Accordingly, this Criminal Original Petition is dismissed.

06.02.2023

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The Principal Special Court-II for EC and NDPS cases, Chennai.



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