



Crl.OP.No.2308 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 30.03.2021 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(c), 29(1) of NDPS Act, 1985, in Crime No.110 of 2021, seeks bail.

2. The case of the prosecution is that the petitioners and other accused were in joint possession of 140 kgs of Ganja. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Further, the petitioner was arrested and remanded to judicial custody on 30.03.2021. He also submitted that the charge sheet has been laid and the petitioner is facing the prosecution in C.C.No.197 of 2021. 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 140 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.

5. It is seen that there are totally 3 accused in which the petitioner is arrayed as A2. The petitioner along with other accused were found in possession of 140 Kgs of Ganja. It is a commercial quantity. Further, the



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petitioner failed to satisfy the twin conditions as contemplated under Section 37 of NDPS Act and there is no change of circumstances after the previous dismissal orders passed by this Court. Therefore, 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.

6. Accordingly, this Criminal Original Petition is dismissed.

06.02.2023

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The II Additional Special Court for Exclusive Trial of cases
under NDPS Act, Chennai.



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