



Crl.O.P.No.2099 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 15.11.2021 for the offences punishable under Sections 8(c), 20(b) (ii) (C), 29(1), 25 of NDPS Act, 1985 in Crime No.856 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 15.11.2021, the respondent police received a secret information, the Sub-Inspector of Police along with his team went to the scene of occurrence and found three persons standing with gunny bags and seized 1Kg of ganja from A1. On confession given by A1, A2 were residing in a rental house where he kept 24 kgs of ganja without any valid license. Hence, the case was registered by the respondent police.

3. Learned counsel for the petitioner submitted that the seized contraband of 24 kgs of dry ganja by the respondent police is only from



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A1 and based on the confession statement, this petitioner was arrested. He further submits that there is no property was recovered from this petitioner. He further submits that the petitioner is in custody from 15.11.2021. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) submitted that the petitioner along with other accused were involved in illegal possession of 25 kgs of dry ganja. He also stated that based on the confession of A1, the police team conducted search in the rented house of the other petitioners and then seized 24 kgs of dry ganja which comes under commercial quantity. He also stated that the investigation also completed and the charge sheet was also filed in CC.No.334 of 2021 dated 14.12.2021 before the II Additional Special Judge for EC and NDPS Cases, Chennai. He further submits that if the petitioner is granted bail at this stage, there is a possibility of tampering the evidence. Hence, he vehemently opposed to grant bail to the petitioner.



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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 commercial quantity, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this Criminal Original Petition stands dismissed. However, the learned trial Judge is directed to complete the trial as expeditiously as possible, preferable within a period of four months from the date of receipt of a copy of this order.

08.02.2023

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