



Crl.O.P.No.3550 of 2023

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T.V.THAMILSELVI,J.

The petitioner, who was arrested and remanded to judicial custody on 17.08.2022 for the offences punishable under Sections 8(c) , 20(b)(ii)(C), 25 altered to Section 8(c), 20(b)(ii)(C)), 25 and 29(i) of NDPS Act in Crime No.907 of 2021 on file of the respondent police, pending trial in C.C.No.99 of 2022 on the file of the Special Judge II Additional Special Court For Exclusive Trial of cases under NDPS Act, seeks bail.

2. The case of the prosecution is that while the respondent police engaged in routine patrol, they found that the petitioner along with other accused was found in illegal possession of 47 kgs of dry ganja. On enquiry, the respondent police came to know that under the influence of A1, A2 has purchased ganja from Andra Pradesh and delivered to A3, A4, A5 and A6 for the purpose of selling it to the local people for personal gain and the banned contraband produced were seized by the respondent police. Hence the case.



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3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that this is the third bail application of the petitioner before this Court and this Court had earlier dismissed the bail application filed by the petitioner in Crl.O.P.No.32071 of 2022 vide order dated 05.01.2023. He further stated that the petitioner has been suffering incarceration from 17.08.2022 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there 12 cases including 2 murder cases are pending as against this petitioner. He would further submit that if the petitioner is released on bail, there will be a possibility of abscondance and also he would tamper the witnesses and hamper the investigation. 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) for the respondent and perused the entire materials available on record.

6. Taking into consideration of the facts and circumstances of the case, the gravity of the offence and also taking note of the fact that there is a possibility of abscondance and there is no change in circumstance, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed. However, the trial Court is directed to dispose the case within a period of four months from the date of receipt of a copy of this order.

22.02.2023

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