



Crl.O.P.No. 7437 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 06.02.2022 for the alleged offence under Sections 8(c), r/w 20(b)(ii)(C), 25 and 29(i) of NDPS Act in Crime No.6 of 2022 on the file of the respondent police, pending trial in C.C.No.154 of 2022 on the file of II Addl. Special Judge for NDPS Act cases at Chennai, seeks bail.

2. The case of the prosecution is that on 06.02.2022, on receipt of a secret information about bringing ganja for sale by transporting the same in a car at Kakalur weight bridge junction, the respondent police intercepted the vehicle and on search, they found the accused were in illegal possession of 60 grams of ganja from the car and the same was seized by them. Hence, the complaint.

3. The learned counsel for the petitioner submitted that this is the third petition seeking for bail. He would submit that he has not at all



Crl.O.P.No. 7437 of 2023

WEB COPY

committed any offence as alleged by the respondent police and he is no way connected with the occurrence. He would further submit that he has been falsely implicated in this case and the petitioner has been suffering incarceration from 06.02.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner along with other accused found in possession of 60 grams of ganja, which is a commercial quantity and there are two previous cases similar in nature pending against him. He would submit that now the trial is in progress and the case is posted for examination of L.W.1 on 19.04.2023. He would submit that if he is released on bail, he would tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances and on considering the contentions of the both sides, and also the fact that 60 grams of ganja was recovered from the accused, which is a commercial quantity and now the



Crl.O.P.No. 7437 of 2023

WEB COPY

trial is in progress and the case is posted for examination of L.W.1 on 19.04.2023 and if he is released on bail, he would hamper the investigation and tamper the witnesses, and the fact that there is no change of circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, since the petitioner is in judicial custody from 06.02.2022 for more than a year, the trial court is directed to complete the trial and to dispose the case within a period of three months from the date of receipt of copy of this order.

05.04.2023

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rpp

Crl.O.P.No. 7437 of 2023

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