



Crl.O.P.No. 8751 of 2023

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**G.K.ILANTHIRAIYAN, J.**

The petitioner, who was arrested and remanded to judicial custody on 31.12.2019 for the alleged offence under Section 8(c) r/w Sec.20(b)(ii)(C) and 25 of NDPS Act in Crime No.1528 of 2019 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secret information, when the respondent police conducted a routine vehicle check-up near Uthukulli Road, Anaikaadu Division, they intercepted the petitioner's vehicle and found that the petitioner along with other accused were in illegal possession of 26 kgs. of ganja wrapped in a white sack and seized the same. Hence, the complaint.

3. The learned counsel for the petitioner submitted that there are totally three accused, in which the petitioner is arrayed as A1. He would further submit that a false case was foisted against him and he has not committed any offence as alleged by the prosecution. He would submit that



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investigation is almost completed and that the petitioner has been suffering incarceration for more than 4 years from 31.12.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for respondent would submit that now after completion of investigation, the respondent filed a charge sheet, which was taken on file in C.C.No.3 of 2022 on the file of Special Court for EC and NDPS Act Cases, Coimbatore. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that there are three accused, in which the petitioner is arrayed as A1. On search, the accused persons were in conscious possession of 26 kgs. of ganja in white sack, which is a commercial quantity. Now, the case is charge sheeted and trial was also begun. Considering the facts and circumstances of the case and the submissions made by both counsel and also the fact that there are materials to attract the offence as against the petitioner and he has failed to satisfy the twin conditions as contemplated under Sec.37 of NDPS Act, this Court is not



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inclined to grant bail to the petitioner. Accordingly, this Criminal Original  
Petition is dismissed.

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