



Crl.OP.No.9518 of 2023

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G.K.ILANTHIRAIYAN, J.

The petitioner/A2, who was arrested and remanded to judicial custody on 07.03.2023 for the offences punishable under Sections 8(c), 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985 in crime No.11 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 06.03.2023, based on the secret information, the respondent went to the place of occurrence and found that A1 was in illegal possession of 36 Kgs of ganja. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that false case has been foisted as against the petitioner and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner was arrested and remanded to judicial custody on 07.03.2023. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the A1 was found in possession of 36 Kgs of ganja. On his confession, the petitioner/A2 was arrested and he was also found in possession of 2 Kgs of



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ganja. As per the confession statement of 1st accused, he used to purchase ganja from Odisha and hand over to the petitioner herein, in order to sell the same. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that the both the accused were found in conscious possession of contraband and it is a commercial quantity. Therefore, the petitioner failed to satisfied the twin conditions under Section 37 of the NDPS Act. Taking consideration of the above facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petitions is dismissed.

05.05.2023

mpl



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