



Crl.OP.No.10110 of 2023

Crl.O.P.No.10110 of 2023

G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 10.03.2023 for the offences punishable under Sections 8(c) read with 20(b)(ii)(c) of NDPS Act in crime No. 208 of 2023 on the file of the respondent police, seeks bail.

2. It is seen that, there are totally six accused in this case. Petitioner is the 3rd accused. They were consciously and constructively in possession of the contraband weighing 23 kgs of ganja, which is a commercial quantity. Hence the case.

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 16.06.2022. Hence, he prays to grant bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that the petitioner along with other accused were found in possession of 23 Kgs and it is commercial quantity. If the petitioner released on bail, he would tamper the witnesses and hamper the evidence. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that the petitioner was found in possession of alleged contraband and there are materials to attract the offence as against the petitioner herein. 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.

04.05.2023

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