



Crl.O.P.No.12745 of 2023

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A.A.NAKKIRAN.,J.

The petitioner, who was arrested and remanded to judicial custody on 07.08.2022 for the offences punishable under Sections 8(c) and 20(b) (ii) (B) and 25 of NDPS Act, 1985 in Cr.No.240 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 20.800 gms of ganja. Hence the case has been registered against the petitioner.

3. The learned counsel for the petitioner has submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. He further submitted that this is the third bail application. He further submits that the petitioner is in custody from 07.08.2022. He further submitted that he is a heart patient. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) for the



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respondent has submitted that the petitioner along with other accused were found in illegal possession of 20.800 gms of ganja, which is a commercial quantity. He further submitted that in an earlier occasion, the petitioner had obtained bail order by misrepresenting that he was in possession of 2 kgs of ganja only and later, the said order was recalled. He also stated that the investigation was completed and the charge sheet also filed on 20.01.2023 in CC.No.19 of 2023 and there is no change of circumstances in this case. He also submitted that if the petitioner is granted bail at this stage, there is a possibility of tampering the evidence. Hence, he vehemently opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also taking note of the quantity of the contraband which is a commercial quantity and charge sheet has been filed, this Court is not



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inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed. However, the learned Additional District Judge, Special Court for Essential Commodities Act Cases, Coimbatore, is directed

a) to dispose of the case, as expeditiously as possible, preferably, within a period of six months from the date of receipt of a copy of this order and

b) The jail authority concerned is directed to provide medical treatment to the petitioner by referring him to the Coimbatore Medical College and Hospital, if required.

07.07.2023

gv

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