



Crl.O.P.No.13468 of 2023

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T.V.THAMILSELVI, J.

The petitioner/A3, who was arrested and remanded to judicial custody on 07.10.2022 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of NDPS Act in C.C.No.128 of 2022 in connection with Crime No.32 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on receiving a secret information, the respondent Police along with his team went to the scene of occurrence and they found that the petitioner and other accused persons were transporting illegal possession of 200 kgs of Ganja in his lorry. The respondent has seized the contraband, arrested the accused and registered a case against the accused. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and there is no recovery from this petitioner and based on the confession statement recorded from the other accused, the petitioner has been falsely implicated in this case. He further



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submitted that the case has been taken up on the file of the learned Special Judge for EC/NDPS Act cases, Salem in C.C.No.128 of 2022. He further submitted that already this Court dismissed the petition in Crl.O.P.No.31784 of 2022, on 05.01.2023 and he is ready to abide by any stringent conditions imposed by this Court and he is in judicial custody from 07.10.2022. Therefore, he prays for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) submitted that the petitioner along with the other accused were involved in illegal transportation of 200 kgs of Ganja, which is a commercial quantity. He also stated that the final report has been filed and the case is taken up on the file of the learned Special Judge for EC/NDPS Act cases, Salem in C.C.No.128 of 2022. He also submitted that there is one previous case similar in nature pending against him and 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.



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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) 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 that the petitioner has got one previous case, and there is no change in circumstances, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this Criminal Original Petition stands dismissed. However, the learned trial Judge is directed to complete the trial as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order.

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