



Crl.O.P.No.15561 of 2023

A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 11.03.2023 for the offences under Sections 8(c) r/w 20(b)(ii)(c) and 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.6 of 2023, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 11.03.2023, on receipt of a secret information regarding illegal sale of ganja, the respondent along with his team, had gone to the scene of occurrence, i.e., nearby Orgadam Junction, Sriperumbudur to Chegalpattu Road, wherein, they found that the accused were in illegal possession of 22 kilograms of Ganja. The respondent had arrested the accused persons, seized the contraband under the cover of seizure mahazar and obtained confession statements from them and registered a case in Crime No.6 of 2023 under Section 8(c) r/w 20(b)(ii)(C) & 29(1) of NDPS Act. Hence the case.

3. Learned counsel appearing for the petitioner would submit that petitioner (A2) is an innocent person and he has been falsely implicated in this case. He would submit that the accused persons were arrested in two



different places whereas the prosecution has shown as if they were arrested in the same place, thereby stated that contraband of 22 kilograms of Ganja, which is a commercial quantity has been recovered from them. He would further submit that the petitioner is in custody from 11.03.2023 and also submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The respondent police has filed a detailed counter.

5. Learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner along with other accused were found to be in illegal possession of 22 kilograms of Ganja, which is a commercial quantity. He would further submit that investigation in this case is completed and final report has been filed before the concerned Court. He would also submit that this Court has also opined that the petitioner has not satisfied the twin conditions as required under Section 37 of NDPS Act and he vehemently opposed for grant of bail to the petitioner.

6. Heard the learned counsel on either sides and perused the entire



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materials available on record including contents the First Information Report.

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7. Taking into consideration the facts and circumstances of the case, submissions made by the learned Government Advocate (Crl. Side) that the contraband recovered is a commercial quantity and the petitioner has not satisfied the twin conditions as required under Section 37 of NDPS Act and there is no change in circumstances, this Court is not inclined to grant the relief sought for in this petition.

8. Accordingly, this Criminal Original Petition stands dismissed.

20.07.2023

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