



Crl.O.P.No.17965 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner namely Anand @ Boxer Anand, who was arrested and remanded to judicial custody on 26.04.2023 for the offences punishable under Sections 8(c), 20(b)(ii)(B) of NDPS Act in Crime No.179 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is falsely implicated in this case in Crime No. 179 of 2023 for the offences under Sections 8(c), 20(b)(ii)(B) of NDPS Act. It is stated in the first information report allegations that, on seeing the police, petitioner and co-accused tried to run from the spot, however, they were apprehended by the police, which is totally false, for the reason that, petitioner is suffering from dislocation of hip joint and he cannot run. He is now advised to take treatment at Government Hospital. It is his further submission that, same police station has registered two cases against the petitioner. Petitioner is in judicial custody from 26.04.2023. Petitioner is innocent. Thus, he prays for grant of bail.



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3. Learned Additional Public Prosecutor opposes this petition, on the ground that, petitioner has three similar cases pending against him, apart from this case. Investigation in this case is not completed. Therefore, he prays for dismissal of this bail petition.

4. Considered the submissions and perused the records.

5. The perusal of the first information report allegations show that, on 26.04.2023, at about 11.50 hours, when defacto complainant along with police party had engaged in prevention of crime, they found the accused in this case in a suspicious circumstance. On seeing the police, accused tried to escape by running. However, they were apprehended by the police party. After following the necessary procedure, it was found that accused had 1.800 kgs of ganja. The claim that, petitioner is suffering from hip joint dislocation and that he could not run is a matter of evidence. From the medical records produced by the learned counsel for the petitioner, this Court cannot come to a conclusion that, petitioner cannot run. The medical certificate was given diagnosing petitioner's condition as 'Thandagavatham' on 06.12.2022. However, this case was registered on



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26.04.2023.

4. Considering the fact that petitioner has three similar cases pending against him and that investigation in this case is not completed, this Court is not inclined to release the petitioner on bail. Accordingly, this Criminal Original Petition is dismissed.

10.08.2023

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10.08.2023