



Crl.O.P.No.19989 of 2023

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G. CHANDRASEKHARAN, J.,

The petitioner namely Abdhul Rahman, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 8(c) read with Section 20(b)(ii), (c), 29(1), 25 and 27A of NDPS Act in Crime No.84 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the petitioner is that the petitioner is the second accused in Crime No.84 of 2023 and he has been falsely implicated in this case. He is in judicial custody from 27.02.2023.

3. The learned Additional Public Prosecutor submitted that, on secret information received by the defacto complainant on 26.02.2023, he mounted surveillance near Chennai, Madipakkam Junction at about 15 hours, a car bearing registration No.KL 48 J 1417 approached the spot. On seeing the police, two persons got out from the car and escaped. The other two persons were apprehended and they are Premnath and Abdhul Rahman. The persons escaped are Sethuraman and Selvam. Thereafter, following the procedure, a search was conducted and the defacto complainant found totally 200 kgs of Ganja in the car. It is further



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submitted that, one similar case is pending against the petitioner in the State of Kerala in Crime No.711 of 2022 under Section 8(c) read with Section 2(b)(ii), 22(c), 27, 29(i) and 25 of NDPS Act.

4. Considered the rival submissions and perused the materials available on record.

5. It is a case of illegal possession and transportation of commercial quantity of 200 kgs of Ganja. There was an independent recovery made from the petitioner to the tune of 100 kgs of Ganja. The petitioner has to satisfy the twin conditions under Section 37 of NDPS Act to seek bail in this case.

6. In view of the seizure of commercial quantity of Ganja i.e., 200 Kg, especially 100 kgs of ganja seized from this petitioner, this Court is of the view that, the petitioner has not satisfied the twin conditions under Section 37 of NDPS Act for considering the bail. Hence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

31.08.2023

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