



Crl.O.P.No.24502 of 2023

Crl.O.P.No.24502 of 2023

C.V.KARTHIKEYAN, J.

The petitioner/A2 is an accused in Crime No.227 of 2022, registered under Section 8(c) r/w Sections 20(b)(ii)(C) & 29(1) of NDPS Act, seeks bail. The petitioner had been taken into custody on 04.09.2022. After investigation, final report had been filed and the same had been taken cognizance as C.C.No.124 of 2023 by the Principal Special Court under EC & NDPS Cases at Chennai.

2. The case of the prosecution is that, the respondent had recovered totally 25 Kgs of ganga from A2 and the petitioner was also standing next to A1.

3. It is therefore stated that the petitioner was also aware of the possession by A1. It is also stated that the petitioner is from Odisha and the said ganja had been procured from Odisha and given to A1 for retail sale.



Crl.O.P.No.24502 of 2023

WEB COPY

4. The learned counsel for the petitioner, pointed out the documents filed along with final report particularly, consent for search at the time of seizure of the contraband and also pointed out that signature of the petitioner is not found in that particular form.

5. It is also stated that even in the arrest memo, the signature of the petitioner is not found and in both the documents, it is only the signature of the 1st accused, whose signature is found.

6. It is also the case of the prosecution that there was no recovery from the physical possession of the petitioner herein. It is their case that the petitioner had procured ganja from Odisha and handed it over to A1 for retail sale. This is an aspect, which will have to be examined only during the course of trial and now the matter is pending trial before the jurisdictional Sessions Court.

7. At this stage I am not inclined to grant bail to the petitioner herein. Accordingly, this Criminal Original Petition stands dismissed.

02.11.2023

ata

Page 2 of 3



WEB COPY



Crl.O.P.No.24502 of 2023

C.V.KARTHIKEYAN, J.

ata

Crl.O.P.No.24502 of 2023

02.11.2023