



Crl.O.P.No.28738 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 20.08.2022 for the alleged offence under Sections 8 (c), r/w 20 (b) (ii)(c) of NDPS Act in Crime No.522 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that she was found in possession of 24.465 kgs of ganja without any valid license or permit. Hence, the complaint.

3. The learned counsel for the petitioner submitted that there is no iota of truth in the complaint and she is no way connected with the said offence. He would submit that she has not at all committed any offence as alleged by the respondent police and there is no property recovered from this petitioner. He would submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 20.08.2022. Hence, he prayed to grant bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner is a sole accused, there are three NDPS cases pending against her. He would submit that now the trial has also begin and it will be completed within three months. He would submit that the respondent police seized the contraband, packed ganga weighing at 24.465 Kgs, Commercial Quantity. She already filed bail petition in C.M.P.No.953 of 2022 before the Special Court for EC & NDPS Cases @ Salem, and the same was dismissed on 10.10.2022. He would further submit that if she is released on bail, she would tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offence committed by the petitioner, and now the trial is begin and she is having three NDPS cases and there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

06.01.2023

vsn



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