



Crl.O.P.No.24422 of 2023

C.V.KARTHIKEYAN, J.

WEB COPY

The petitioners / A1 and A2 seek bail in Spl.C.C.No.209 of 2023 which is now pending before Special Court for EC / NDPS Act, Salem. Originally, Crime No.45 of 2023 had been registered under Section 20(b)(ii)(A) of NDPS Act.

2.Both the petitioners had been arrested on 16.03.2023. It is the case of the prosecution that the respondent had received information about transportation of Ganja and had conducted search and found that the 1st petitioner was in possession of 16.500 Kgs of Ganja and the 2nd petitioner was found in possession of 16.400 Kgs of Ganja.

3.The learned counsel for the petitioners stated that the procedure under Section 50 of NDPS Act, was not followed, while conducting search.

4.The learned Government Advocate (Criminal Side) for the respondent, however stated that the Ganja had been seized from the possession of the petitioners herein and mahazar had also been prepared.



C.V.KARTHIKEYAN, J.

WEB COPY

smv

It is also stated that final report had been filed and taken cognizance in Spl.C.C.No.209 of 2023 and charges are yet to be framed. It is also stated that both the petitioners are from Karnataka and there is every possibility of the petitioners absconding.

5.In view of that particular quantity, which had been seized is commercial in nature, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition stands dismissed.

07.11.2023

smv

Crl.O.P.No.24422 of 2023