



Crl.O.P.No.29947 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 05.11.2020 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 in C.C.No.131 of 2021 in connection with Crime No.31 of 2020, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on receiving a secret information, the respondent Police along with his team conducted a vehicle checkup and they found the accused were in illegal possession of 205 kgs of Ganja. The respondent has seized the contraband, arrested the accused and also registered a case against the accused. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the case has been taken up on the file of



Crl.O.P.No.29947 of 2022

the learned II Additional Special Judge for NDPS Act cases, Chennai in C.C.No.131 of 2021 and also stated that the case is still pending and the petitioner is in custody from 05.11.2020. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) submitted that the petitioner along with the other accused were involved in illegal transportation of 205 kgs of Ganja, which is more than a commercial quantity. He also stated that the final report has been filed and the case is taken up on the file of the learned II Additional Special Judge for NDPS Act cases, Chennai in C.C.No.131 of 2021. He also submitted that if the petitioner is granted bail at this stage, there is a possibility of tampering the evidence. Hence, he vehemently opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.



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Crl.O.P.No.29947 of 2022

6.Taking into consideration the facts and circumstances of the case and also taking note of the quantity of the contraband which is more than a commercial quantity and that the petitioner has not satisfied the conditions under Section 37 of NDPS Act, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this Criminal Original Petition stands dismissed. However, the learned trial Judge is directed to complete the trial as expeditiously as possible, preferable within a period of four months from the date of receipt of a copy of this order.

05.01.2023

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Crl.O.P.No.29947 of 2022

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Crl.O.P.No.29947 of 2022

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