



Crl.O.P.No.24713 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seeks bail in Crime No.264 of 2023, registered by the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(C) and 29(1) of NDPS Act. The petitioner had been remanded to judicial custody on 22.08.2023.

2. It is the case of the prosecution that on 18.06.2023, on receiving information, the respondent had gone to the scene of occurrence and arrested six accused persons and recovered 6 Kgs of ganja each of them, totally measuring 36 Kgs. Subsequently, on the basis of their confession statement, the petitioner herein had been implicated.

3. The case of the prosecution against the petitioner is that he had transferred cash to the accused and it is also stated that call record details reveal that the petitioner has been in active contact with the named accused persons.



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4. It is also stated that one of the accused, is in Andhra Pradesh and who is said to be the provider of said ganja and is still absconding.

5. The learned counsel for the petitioner stated that there are confessions, which had been recorded and therefore stated that it was a thin piece of evidence. It is also stated that though Bank statements had been said to be recovered from the petitioner, no details have been given.

6. The learned Government Advocate (Crl. Side) for the respondent stated that cash had been given by the petitioner amounting to Rs.1,00,000/- to the other accused persons. It is also the contention that one of the accused, who had been also secured on 18.06.2023 is a juvenile.

7. The learned counsel for the petitioner further stated that all these aspects can be examined only during the course of trial and asserted that these evidences, would only indicate acquittal of the petitioner herein.



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8. One further factor to be considered is about the quantity of ganja seized, which is commercial in nature.

9. It is also to be noted according to the prosecution there had been contact between the petitioner and the accused, who had been arrested over phone, and there is also allegation of transfer of cash by the petitioner herein. One accused is still absconding. Investigation can never completed without finding the source of ganja. At this stage, I am not inclined to grant bail to the petitioner herein. Accordingly, this Criminal Original Petition stands dismissed.

03.11.2023

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