



CrI.O.P.No.31800 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 09.01.2019 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 27(A), 28 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 in NCB.F.No.48/1/02/2019-NCB/MDS, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on receiving a secret information, the petitioner was intercepted at Athur Toll Plaza, Kancheepuram on 08.01.2019 and found in possession of 107.02 kg of Ganja. 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 the learned Principal Judge for NDPS Act cases, Chennai in C.C.No.116



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of 2019 and also stated that the case is still pending and the petitioner is in custody from 09.01.2019. 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 107.02 kgs of Ganja, which is 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 Principal Judge for NDPS Act cases, Chennai in C.C.No.116 of 2019. 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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6.Taking into consideration the facts and circumstances of the case and also taking note of the quantity of the contraband which is 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.

19.01.2023

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