



CrI.O.P.No.32197 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 02.10.2021 for the alleged offence under Sections 8 (c) r/w 20 (b) (ii)(B) of NDPS Act in Cr.No.39 of 2021 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 the petitioner was found in possession of 23 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 he is no way connected with the said offence. He would submit that he 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 02.10.2021. 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 sole accused and the petitioner belongs to Odisha State. He would submit that now the trial has also begun and will be completed within three months. He would submit that if he is released on bail, he would tamper the witnesses and hamper the trial. 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, this Court is of the view that there is possibility of tampering the witnesses and hampering the investigation.

6. Taking into consideration of the fact that the petitioner belongs to Odisha State and his chance of disappearance, if released on bail, is inevitable, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, the trial court is directed to complete the trial and dispose the case within a period of four months from the date of receipt of copy of this order.

06.01.2023

vsn



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