



Crl.O.P.No.2760 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner in Crime No.206 of 2023, registered by the respondent police for the offences under Sections 8(b), 8(c), 20(a)(i), 20(b)(ii)(B) and 27(a) of NDPS Act, and remanded to judicial custody on 13.12.2023, seeks bail.

2.It is stated that the respondent had received information about sales of ganja at Kalvarathan Village, Kallakurichi District. The respondent had found that the petitioner was in possession of 1.300 kgs of ganja and surrounding his house, he had grown 80 ganja plants, totally weighing 47.220 kgs. They have been seized.

3.It is the contention of the learned counsel for the petitioner that the petitioner does not have any land and therefore, the ganja was not grown in his land. That is an issue which will have to be examined during the course of trial. If the plants were under the control of the petitioner then, it has to be stated that he was in possession of the said plants.



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4.A counter affidavit has been filed wherein it had been very specifically stated that when the respondent conducted search in the place of the accused and nearby places. They found 1.300 kgs of ganja in a polythene cover and 6.5 feet high ganja/80 plants. The total weight of the ganja was 47.220 kgs. The quantity of ganga seized is commercial quantity.

5.The petitioner will have to establish about the fact of his holding of land only during the course of trial. At this stage, I am not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

13.03.2024

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