



Crl.O.P.No.3385 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 18.07.2023 for the alleged offence punishable under Sections 8(c), 20(b) (ii) (C) of NDPS Act, in connection with Crime No.15 of 2023, on the file of the respondent police, and the case has been taken cognizance in Spl.C.C.No.827 of 2023, on the file of the Principal Special Judge for NDPS & EC Act cases, Chennai, seeks bail.

2. The case of the prosecution is that on 06.01.2023, the respondent police receiving a secret information, and went to the scene of occurrence, wherein they found that the petitioner/A3 along with other accused was in illegal possession of 24 kg of Ganja. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. However, on instructions, the learned counsel for the petitioner



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submitted that on his own violation, he is ready and willing to contribute some amount to the charitable purpose as may be directed by this Court.

He also submits that the petitioner has been suffering incarceration from 06.01.2023 and the co-accused person/A3 also granted bail in Crl.O.P.No. 4178 of 2023, dated 27.02.2023. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that the petitioner along with other accused were involved in illegal transportation of 24 kgs of ganja, which is a commercial quantity. He further submitted that there are totally 5 accused in which the petitioner is arrayed as A5. Now the investigation is almost completed and final report was filed in C.C.No.827 of 2023 and the trial was commenced. He also submitted that he is having 39 previous cases pending against him. and the list of previous case is produced before this Court. 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.



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5.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 considering the antecedent of the petitioner, having 39 previous cases. If he is released on bail at this stage, he would hamper the investigation and tamper the witnesses, therefore, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition stands dismissed.

13.03.2024

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