



Crl.O.P.No.4518 of 2024

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T.V.THAMILSELVI, J.

The petitioner who is an accused No.3 in C.C.No.116 of 2022 on the file of the Principal Special Court under EC & NDPS Act, Chennai seeks bail. The petitioner was arrested and remanded to judicial custody on 09.01.2019.

2.Originally, NCB F.No.48/1/02/2019-NCB/MDS had been registered by the respondent Police under Sections 8(c) r/w 20(b)(ii)(C), 27(A), 28 and 29 of NDPS Act.

3.The case of the prosecution is that the respondent received secret information that some persons were indulging in trafficking of 100 kgs of ganja from Andhra Pradesh and transporting the same in Renault Duster Car bearing registration No.TN 09 BT 4474 and they intercepted the car and no contraband was found. Thereafter, the respondent identified a Fiat Linea Car bearing registration No.TN 11 K 8667 at Athur Toll Plaza and seized 107.02 kgs of ganja and cash of Rs.10,000/- from the car. Hence the complaint.



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4.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he is no way connected with the other accused or with the contraband. He would further submit that there is no recovery from this petitioner and based on the confession statement only, he has been falsely implicated in this case. Hence, he prayed for grant of bail tot he petitioner.

5.The learned Government Advocate (crl.side) appearing for the respondent Police would submit that the accused persons were found in illegal possession of 107.02 kgs of ganja which is commercial quantity. He would further submit that the investigation has been completed and final report had also been filed. He would also submit that the witnesses are examined and also cross examined. Hence, he opposed for grant of bail to the petitioner.

6.At this juncture, the learned counsel for the petitioner stated that the petitioner is a stock witness.

7.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 is entitled to prove that he is



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a stock witness during the course of trial, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition stands dismissed.

12.04.2024

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