



Crl.OP.No.5749 of 2024

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 06.06.2022 for the offences punishable under Sections 8(c), 20(b)(ii)(C), 25 and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.595 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 06.06.2022, based on the secrete information, the respondent conducted a vehicle check-up and intercepted two bikes near Vellaikinaru railway gate. They found that the petitioner and other accused were in illegal possession of 21 Kgs of Ganja. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that false case has been foisted as against the petitioner and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner was arrested and remanded to judicial custody on 06.06.2022 and incarcerated for the past more than 1-½ years. Hence, he prays to grant bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that the petitioner was found in possession of 21 Kgs of Ganja and it is commercial quantity. He further submitted that all the prosecution witnesses were examined and now the Investigation Officer is in the box. Further, this is the fifth bail petition and this Court already dismissed the earlier petitions filed by the petitioners. If the petitioner released on bail, he would tamper the witnesses and hamper the evidence. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that the petitioner was found in possession of alleged contraband and there are materials to attract the offence as against the petitioner herein. Therefore, the petitioner failed to satisfied the twin conditions under Section 37 of the NDPS Act. Further this Court already dismissed the earlier bail petitions on four occasions and there is no change in circumstances to entertain this petition. Taking consideration of the above facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

27.03.2024

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