



CrI.O.P.No.5218 of 2024

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G.CHANDRASEKHARAN.J,

The petitioner, who was arrested and remanded to Judicial Custody on 16.06.2023 for the offence punishable under Sections 8(c) read with Section 20(b)(ii)(C), 29(1) of the NDPS Act on the file of the Respondent Police in Crime No.75 of 2023 seeks bail.

2. The learned counsel for the petitioner submitted that petitioner is falsely implicated in this case, in Crime No.75 of 2023 for the offence under Sections 8(c), 20(b)(ii)(C) & 29(1) of NDPS Act. There was no recovery of contraband from the petitioner. The petitioner is implicated in this case on the basis of the confessional statement of co-accused. Petitioner is in Judicial Custody from 16.06.2023. Thus, he seeks bail to the petitioner.

3. In reply, the learned Government Advocate (CrI. Side) submitted that, on 18.02.2023, based on the secret information received by the defacto complainant, he mounted a surveillance along with a police party at Lakshmipuram Pothur Alamarm. At about 09.00.a.m., they found two persons with white colour polythene bags. They are 1) Pasupathy 2) Malarvannan. After following the necessary procedure, a search was conducted. During the



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search, they found 30 kgs of ganja in white sack carried by the petitioner.

Thereafter, this case was registered. It is his further submission that, petitioner along with co-accused were found in possession of 30 kgs of ganja.

Investigation in this case is completed and now trial proceedings commenced.

4. From the consideration of the FIR allegations and the submissions of the learned counsel appearing for the parties, there is prima facie material to show that petitioner along with co-accused were found in possession of 30 kgs of ganja. In the said circumstances it cannot be presumed that petitioner is not guilty of the offence or that he will not commit any offence if he is released on bail. Therefore, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed.

22.03.2024

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