



Crl.O.P.No.6201 of 2023

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T.V.THAMILSELVI,J.

The petitioner, who was arrested and remanded to judicial custody on 09.01.2022 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 28 and 29 of the Narcotic Drugs and Psychotropic Act, 1985, in connection with CC.No.524 of 2022 in NCB F.No.48/1/1/2022-NCB/MDS on file of the respondent police, seeks bail.

2. The case of the prosecution is that on receiving a secret information, the respondent and his team went to the scene of occurrence, wherein they found that the accused was in illegal possession of 369 kilograms of Ganja. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that he was not present at the place of occurrence. It is alleged by A1 to A3, that the petitioner is waiting along with A4 for the delivery of ganja to Trichy, except for this, there is no material to prosecute the petitioner in this case. He further submitted that the petitioner is in custody from



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09.01.2022 and he is ready to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

4. Learned Public Prosecutor (Puducherry) appearing for the respondent police submitted that the petitioner along with other accused was found in illegal possession of 369 kgs of Ganja, which is a commercial quantity. He further submitted that the petitioner's father, who had been arrested in NCB cases in Chennai for 8.25 kgs of heroine, was convicted for 10 years and released in 2015. Now, he is once again involved in the illegal possession of ganja from Andhra Pradesh to Trichy with the support of 7 persons, including his son, the petitioner. He further submitted that the petitioner along with his father and other accused stayed at Trichy Udupi Hotel to receive the ganja for further distribution to TamilNadu. He insisted that the petitioner is not an innocent person, the documents and property seized from him, clearly proves that he committed the offence knowingly, which was also admitted by the petitioner in his voluntary statement. Subsequently tower location also supports this, as it shows that he did it out of the need for money. He further submitted that, if the petitioner is released



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on bail, he will escape from the clutches of law, and hence he opposed for the grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Special Public Prosecutor (Puducherry) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side and also considering the gravity and nature of the offence and also the fact that the this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed. However, the learned trial Judge is directed to complete the trial as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

13.06.2024

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