



Crl.O.P.No.11156 of 2024

T.V.THAMILSELVI, J.

This Petition has been filed by the petitioner/A1, who was arrested and remanded to judicial custody on 26.02.2024, seeking bail in Crime No.117 of 2024, registered under Sections 8(c) r/w 20(b)(ii)(C), 25 & 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case since he has several previous cases. He further submitted that the petitioner has been suffering incarceration from 26.02.2024 and he is also ready to abide by any stringent conditions that may be imposed by this Court. Hence, he sought for bail.

3. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that, the petitioner/A1 along with three other accused was found to be in illegal possession of 26.400 kilograms of Ganja, which is a commercial quantity, out of which, 22kgs were recovered from this petitioner alone. He further submitted that since the alleged contraband is a commercial quantity, the petitioner has to satisfy the twin conditions required under Section 37 of NDPS Act, whereas, the petitioner has failed to satisfy the same, therefore, he is not entitled for bail. He also submitted that the investigation in this case is still pending and 15 previous cases including 3 NDPS Act cases are pending against the petitioner, therefore, if he is released on bail at this stage, there is a possibility of him absconding and not available for further investigation. Hence, he objected for granting bail.



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4. The respondent has filed a counter before this Court.

5. Taking into consideration the facts and circumstances of the case, submissions made by the learned Government Advocate (Crl.Side) that the investigation in this case is still pending and the petitioner has not satisfied the twin conditions required under Section 37 of NDPS Act and also considering the antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

23.07.2024

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