



Crl.O.P.No.13878 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who was arrested and remanded to judicial custody on 27.03.2024, in Crime No.752 of 2023 on the file of the respondent police registered for the alleged offence punishable under Section 8(c), 20(b) (ii) (C) of NDPS Act, seeks bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that on the secret information received on 07.11.2023, the petitioner along with other accused was found to be in possession of the alleged contraband of 37 kgs of ganja. He further submitted that based on the confession of the arrested accused, this petitioner was impleaded as an accused person. He further submitted that the petitioner is suffering incarceration from 27.03.2024 and he is ready to abide any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner along with other accused was found to be in illegal possession of 37 kilograms of ganja. He further submitted that during the confession of the arrested accused, it



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reveals that the accused/A1 & A2 received money from A3 and had purchased the contraband from Andhra Pradesh, which was then handed over to A3. He used to purchase the said commercial quantity of contraband, transfer money, arrange for sellers to sell the contraband and committed the offence. He further submitted that the investigation in this case is still pending and the petitioner has no previous case, and at this stage, if the petitioner is released on bail, he would tamper the witnesses and hamper the investigation. However, he opposed for the grant of bail to the petitioner.

4. Considering the grave nature of offence and also considering the facts and circumstances of the case and also taking note of the fact that the contraband seized is a commercial quantity and that it attracts Section 37 of NDPS Act, and the petitioner has to satisfy the twin conditions as imposed under this Section, therefore, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition stands dismissed.

05.07.2024



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