



Crl.O.P.No.13845 of 2024

Crl.O.P.No.13845 of 2024

T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 09.08.2023 for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(C), 29(1) of NDPS Act, in Crime No.495 of 2023, on the file of the respondent Police, seeks bail.

2. Learned Counsel for the petitioner submitted that the petitioner is an innocent person, has been falsely implicated in this case and it is alleged that the petitioner along with other accused was found in possession of 22 kgs of ganja, whereas he has not committed any offence as alleged by the prosecution. He further submitted that the co-accused /A3 was granted bail by this Court. He further submitted that the petitioner is in custody from 10.02.2024, and he is ready to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there are three accused in this case and the petitioner is ranked as A2. He further submitted that the petitioner along with other accused was found in joint possession of 22 kilograms of ganja, which



WEB COPY



Crl.O.P.No.13845 of 2024

T.V.THAMILSELVI, J.

drl

is a commercial quantity. During confession, it was revealed that they brought the contraband from Andhra Pradesh for illegal sale. He further submitted that the co-accused/A3 was granted bail. He further submitted that the investigation has been completed and the charge sheet was taken on file in CC.No.63 of 2024 dated 30.01.2024, and he has not engage the counsel before the trial court. He further submitted that the petitioner has two previous cases, pending against him. However, he opposed for the grant of bail to the petitioner.

4. Considering the facts and circumstances of the case, and also considering the grave nature of offence and the contraband seized from the petitioner is a commercial quantity, and this Court is of the view that the petitioner has not established the twin conditions has required under Section 37 of NDPS Act, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

24.07.2024

drl

Crl.O.P.No.13845 of 2024