



Crl.O.P.No.15470 of 2024

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**P.DHANABAL, J.**

The petitioner, who was arrested and remanded to judicial custody on 25.08.2022 for the alleged offence under Sections 8 (c) r/w 20 (b) (ii)(c), 25 and 29(i) of NDPS Act in Crime No.22 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on a secret information about smuggling ganja from Andhra Pradesh to Theni, the respondent police went to Keelambi Junction, Bangalore National Highways and they intercepted the petitioner's vehicle. On search of the vehicle, they said to have found 20 pockets each pocket contains 2.00 kgs. of ganja in all, totaling to 40.00 kgs. from the banat below the engine on the front side and also found 10 pockets from the bottom of the car, each contains 2.00 kgs. of ganja, in all, 20.00 kgs. and in altogether, 60.00 kgs. of ganja were seized by them. Hence, the complaint was registered against the petitioner.



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3. The learned counsel for the petitioner submitted that this is the third petition seeking for bail. He would submit that he is only an acting driver of vehicle and he does not know about the concealed contraband and nothing was recovered from this petitioner. He would submit that he has not at all committed any offence as alleged by the respondent police and the investigation is almost completed. He would submit that that the petitioner has been suffering incarceration from 25.08.2022 for more than two years. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that this is the third petition seeking for bail and totally 60.00 kgs. of ganja was recovered from the vehicle. He would submit that entire car was dumped with contraband and already two bail petitions were dismissed stating that he has not satisfied Sec.37 of the Act. He would also submit that already witnesses were examined and the case is in I.O. stage and within 30 days, the trial will be completed. Hence, he vehemently opposed to grant bail to the petitioner.



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5. Considering the submissions made by both counsel and also considering gravity of offence charged against the petitioner, 60.00 kgs. of ganja was recovered in the vehicle, which is commercial quantity and the trial in this case has been almost completed and most of witnesses were examined and the case is at the stage of examination of I.O. and at this stage, if he released on bail, he may abscond and considering the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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