



Crl.O.P.No.15521 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who was arrested and remanded to judicial custody on 01.03.2024, in Crime No.235 of 2021 on the file of the respondent police, registered for the alleged offence punishable under Section 8(c), r/w 29(b)(ii)(C), 29(1) of NDPS Act, 1985 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 he was falsely implicated as if, the petitioner also conspired with other accused in illegal possession of contraband. He further submitted that based on the confession of the co-accused, this petitioner name has been included and nothing has been seized from the petitioner herein and he was not even present at the scene of occurrence. He further submitted that the petitioner is suffering incarceration from 01.03.2024 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 there are totally 15 accused in this case, and as per the final report, the petitioner is ranked as A4. He further submitted that the petitioner along with other accused was found to be in



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illegal possession of 232 ½ kilograms of ganja, which is a commercial quantity. During investigation, it was revealed that this petitioner has contributed Rupees one lakh for the possession of contraband and he also accompanied with A1 to bring the contraband in a car bearing Registration No.TN 33 BL 0300 where ganja was kept and seized. He further submitted that the petitioner has two previous cases, similar in nature, are pending against him. He further submitted that the investigation in this case is almost completed and charge sheet has also been filed. Now the case was posted on 26.07.2024 for executing non bailable warrant issued to A1, A2, A11 and A15. However, he vehemently 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 seized contraband is of commercial quantity and the petitioner have not satisfied the twin conditions under Section 37 of NDPS, and at this stage, if the petitioner is released on bail, the trial of the case will be stalled, therefore, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition stands dismissed.

24.07.2024

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