



Crl.O.P.No.18219 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who was arrested and remanded to judicial custody on 10.07.2021, in Crime No.NCB F.No.48/1/06/2021-NCB/MDS on the file of the respondent police, registered for the alleged offence punishable under Sections 8(c) r/w 20(b)(i)(C), 28, 29 of NDPS Act, 1985 amended u/s 20 (b)(ii)(C), 28, 29 of NDPS Act 1985, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused was found in illegal possession of 360.950 Kgs of Ganja. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and no recovery from the petitioner. He further submitted that based on the confession of the arrested accused 1 and 2, this petitioner was arrested and the petitioner is no way connected with the alleged offence as alleged by the prosecution. He further submitted that the petitioner is suffering incarceration from 10.07.2021 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.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police raised objection for granting bail to the petitioner stating that petitioner along with other accused was found to be in illegal possession of 360.950 Kgs of Ganja, which is a commercial quantity. He further submitted that the petitioner is not an innocent person. Therefore, if the petitioner is released on bail, he would not be available for Trial and there is also possibility of tampering the independent witnesses and other evidences that may hamper the investigation and cause grave prejudice to the prosecution. Hence, he vehemently opposed for the grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submission made by the learned counsel on either side and also considering the fact that the contraband seized from the petitioner, which is commercial quantity, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

14.08.2024

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