



Crl.O.P.No.19297 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 20.03.2023, for the alleged offence under Sections 8(c), r/w 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, in C.C.No. 786 of 2023 on the file of 1st Addl. Special Judge, Special Court, EC & NDPS Act, Chennai, seeks bail.

2. Learned counsel appearing for the petitioner submitted that this is the second petition and the earlier petition was dismissed by this Court in Crl.OP.No.8862 of 2024 dated 10.04.2024. He also submitted that the petitioner is an innocent person and he has been falsely implicated in this case, as if the petitioner was found in possession of 3 bags of Ganja which containing 80 kgs of Ganja. He further submitted that the petitioner is in no way connected with the alleged offence as alleged by the prosecution. He further submitted that the petitioner is suffering incarceration from 20.03.2023 and he is ready to abide any stringent conditions that may be imposed by this Court. Hence, he prays for grant of



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bail to the petitioner.

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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 80 kgs of dry ganja, which is a commercial quantity. He further submitted that there are totally three accused, in which the petitioner was arrayed as A1. A2 was arrested by PT.Warrant on 04.05.2023 and A3 is still absconding. He also further submitted that the investigation is almost completed. Charge sheet has been filed and taken in C.C.No.786 of 2023 before the 1st Additional Special Court for Exclusive trial of cases under NDPS Act, and now the case is posted for trial on 30.08.2024. The specific overt act against the petitioner is that he bought bulk quantities of ganja from A3 in Andhra Pradesh to be sold to A2 in Chennai for their personal gain. The ganja bundles wrapped in khaki coloured tape, 40 bundles each containing 2 kgs, totally 80 kgs and loaded it in a truck, brought to Koyambedu market, Chennai. Hence, he vehemently opposed for the grant of bail to the petitioner.

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



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record.

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5. Taking into consideration the quantity of the contraband seized from the petitioner is a commercial quantity, and the trial almost completed, and the petitioner hails from Andhra Pradesh, there is a possibility of hampering witnesses and tampering with evidences. Given that there is no change in circumstances, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed. However, the learned trial Judge is directed to complete the trial proceedings as early as possible.

22.08.2024

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