



CRL O.P. No.20840 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.09.2024

CORAM

The Hon'ble Mr.Justice P.DHANABAL

CRL OP.No.20840 of 2024

Shijoob

... Petitioner

Vs

State rep. by:-

The Inspector of Police,
NIB, C.I.D, Salem.

[Crime No.18 of 2024]

... Respondent

PRAYER:- The Criminal Original Petition is filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant bail to the petitioner/Accused in Crime No.18 of 2024 on the file of the respondent police.

For Petitioner : Mr. R.T.Vijayaraaghavan

For Respondent : Mr. S. Vinoth Kumar

Government Advocate [Criminal side]

ORDER

The petitioner/1st Accused, who was arrested and remanded to judicial custody on 17.02.2024 for the offences punishable under sections 8(c) r/w 20(b) (ii) (C), 25, 29(1) of N.D.P.S Act in Crime No.18 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in



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illegal possession of 55.000 Kgs of Ganja. Hence, the case.

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3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. The petitioner has been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that there are five accused in this case. This petitioner is arrayed as A1. The petitioner was remanded on 17.02.2024 with illegal possession of 55kgs of Ganja, which is coming under commercial quantity. If the petitioner/A1 is let on bail, there is a possibility of absconding and also possibility of tampering the evidences and threaten the witnesses, which would create hardship to proceed the trial of this case. Hence, he objected to grant bail to the petitioner and also he



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submitted the judgment of Hon'ble Supreme Court in *Union of India Through Narcotics Control Bureau vs. MD. Nawaz Khan* reported in *(2021)10 SCC 100*.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions putforth on either side and considering the fact that the quantity of material involved in this case is commercial quantity and the petitioner is also having some previous cases and also considering the gravity of offences involved in this case, I am not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the criminal original petition is dismissed.

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index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
nsl

P.DHANABAL,J
nsl

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To

1. The Special Judge for EC/NDPS Act Cases, Salem (FAC)
Central Prison, Salem
2. The Inspector of Police,
NIB, C.I.D, Salem.
3. Central Prison, Salem.
4. The Government Advocate (Crl.Side), High Court, Madras.

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