



Crl.O.P.No.22873 of 2024

T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 01.04.2024, in Crime No.649 of 2023 on the file of the respondent police, registered for the alleged offence punishable under Sections 8(c) r/w 20(b)(ii)(C), 25, 29(1) of NDPS Act, seeks bail.

2. Learned counsel appearing for the petitioner submitted that this is the third petition and the earlier petition was dismissed by this Court in Crl.OP.No.13104 of 2024 dated 25.06.2024 and Crl.O.P.No.17941 of 2024, dated 14.08.2024. He further submitted that the petitioner is an innocent person and he has been falsely implicated in this case, as if the petitioner along with other accused was found in illegal possession of 50 kgs of ganja. He further submitted that based on the confession of the arrested accused, this petitioner was arrested and 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 01.04.2024 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.



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3. The learned Government Advocate (Crl.Side) appearing for the respondent police raised objection for granting bail to the petitioner stating that there are totally five accused in this case and the petitioner is ranked as A5. He further submitted that the petitioner along with other accused was found to be in illegal possession of 50 kgs of ganja, which is a commercial quantity. The specific overt act against the petitioner is that he brought the contraband from Andhra Pradesh and sent it to A1 for illegal sale. He further submitted that the investigation is completed and obtained lab report and the charge sheet filed on 06.04.2024 and the same was taken on file in Spl.C.C.No.69 of 2024 dated 28.06.2024. He further submitted that the trial is posted for examination of L.W2 to L.W4 on 04.10.2024. He also submitted that the said contraband seized is in commercial quantity and that attracts Section 37 of the NDPS Act. and if the petitioner is let out on bail there is a possibility of hamper the trial. Hence, he vehemently opposed for the grant of bail to the petitioner.

4. Taking into consideration the quantity of the contraband seized from the petitioner is a commercial quantity and the trial is posted for examination of witnesses on 04.10.2024 and if the petitioner granted bail, there is a possibility of hampering witnesses and tampering with evidences and there is no change in circumstances, this Court is not inclined to grant bail



to the petitioner.

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5. Accordingly, this Criminal Original Petition stands dismissed.

26.09.2024

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26.09.2024