



Crl.O.P. No.23540 of 2024

CRL OP.No.23540 of 2024

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P.DHANABAL. J

The petitioner/accused No. 1, who was arrested and remanded to judicial custody on 04.03.2023 for the offence punishable under Sections 8(c), r/w 20(b)(ii)(C), 25, 29(1) of N.D.P.S. Act in Crime No.44 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with two other accused were found in the possession of 21.700 Kgs of Ganja.

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. The petitioner was arrested on 04.03.2023 and still he is in custody and already investigation is completed and co-accused was also released on bail by this Court. However, on instructions, the learned counsel submits that the petitioner is ready and



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willing to abide by any conditions that may be imposed by this Court and he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted the petitioner along with two other accused were found in the possession of 21.700 Kgs of Ganja and the quantity involved in this case is a commercial quantity and this petitioner is also having some previous cases for the similar kind of offence and the petitioner has not complied with the condition under Section 37 of the NDPS Act and already bail granted to the co-accused was also cancelled. Therefore, he opposed for grant of bail to the petitioner.

5. Heard both side counsels and perused the materials available on record.

6. Considering the representation made on either side and also considering that the contraband involved in this case is a commercial



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quantity and taking into consideration the nature of offence charged against the petitioner and this petitioner is also having some previous cases in similar kind of offence and this petitioner has not complied with the condition under Section 37 of the NDPS Act and now the Trial also commenced, this Court is **declined** to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

19.10.2024
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index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
nsl



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