



Crl. O.P. No.24112 of 2024

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P. DHANABAL.J.,

The petitioner / Accused-6, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B) of Narcotic Drugs & Psychotropic Substances Act in connection with the Cr. No.277 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 16.06.2023 at about 6.15 hours, based on the secret information about the illegal transport of Narcotic substances, the respondent police team went to the place of occurrence i.e., Papan Graveyard, Velipalayam, Nagapattinam and intercepted the accused A1 to A6, who were identified as the illegal sellers of Ganja and found the possession of 1.500 kgs of Ganja. Hence the case.

3. The learned counsel for the petitioner / 6th Accused would contend that the respondent police have registered a false case against the petitioner for the alleged offences under Sections 8(c), 20(b)(ii)(B) of Narcotic Drugs & Psychotropic Substances Act, that he has been falsely implicated in this case and he is an innocent, that the co-accused A5 was already released on anticipatory bail, that the petitioner is ready and



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willing to abide by any condition imposed by this Court and hence he prayed for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that there are totally 6 accused, who were identified as illegal sellers of Ganja and they were intercepted by the respondent police at Papan Graveyard, Velipalayam, Nagapattinam and found in illegal possession of 1.500 kgs of Ganja, that A1 to A4 were arrested and this case was registered as against the 6 accused for the offences under Sections 8(c), 20(b)(ii)(B) of Narcotic Drugs & Psychotropic Substances Act, that this petitioner is arrayed as A6, that A5 and A6 are still absconding, that the confession statements of A1 to A3 reveal that this petitioner along with others bought the banned contraband from unknown person for the purpose of selling to local people for their personal gain and profit, that the case is under preliminary investigation, that this petitioner has 17 previous cases and only three among them were disposed of, that the co-accused is yet to be secured and hence custodial interrogation of this petitioner is essential and hence he strongly opposed to grant anticipatory bail to the petitioner.

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



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6. Considering the rival submissions on either side, considering the gravity of offences involved in this case, considering the fact that investigation is not yet completed, that this petitioner is having so many previous case including NDPS case, I am declined to grant anticipatory bail to the petitioner at this stage.

7. Accordingly, the Criminal Original Petition is dismissed.

04.10.2024

mjs

To

- 1.The Judicial Magistrate Court No.II, Nagapattinam.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Velipalayam Police Station, Nagapattinam District.

P.DHANABAL,J
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