



Crl.O.P.No.23847 of 2023

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T.V.THAMILSELVI, J.

The petitioner/A2 who was arrested and remanded to judicial custody on 06.06.2022 registered by the respondent Police under Sections 8(c), 20(b)(ii)(C), 25 and 29(1) of NDPS Act, in Crime No.595 of 2022, seeks bail.

2.The case of the prosecution is that on 06.06.2022 at about 14.15 hours, the defacto complainant on previous intimation waylaid the accused who came in the two wheelers bearing registration Nos.TN 67 BF 6707 and TN 37 BT 5316 and enquired them. Accused Kathadi @ Lekkusamy produced 11 kgs of Ganja and the petitioner produced Rs.2,00,000/- and accused Abdul Ajeez produced 10 kgs of Ganja. Hence the complaint.

3.The learned counsel for the petitioner would submit that this is the third application for seeking bail and the earlier application in Crl.O.P.No.16881 of 2023 was dismissed by this Court on 28.07.2023 stating that the petitioner has not satisfied the twin conditions contemplated under Section 37 of NDPS Act. But the petitioner has



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suffering incarceration from 06.06.2022 and there is no recovery of contraband from the petitioner at the time of arrest and a sum of Rs.2,00,000/- alone was recovered from him. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (crl.side) appearing for the respondent Police would submit that the petitioner along with two other accused had transported 21 kgs of ganja. He would further submit that the petitioner had sold the contraband and kept Rs.2,00,000/- in his hand. The petitioner has also not satisfied the twin conditions under Section 37 of NDPS Act and there is no change in circumstances of the case.

5.Considering the facts and circumstances of the case and the fact that the petitioner had not satisfied the twin conditions under Section 37 of NDPS Act and there is no change in circumstances of the case, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, this Criminal Original Petition stands dismissed.

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