



Crl.O.P.No. 24919 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 22.05.2024 for the alleged offence under Sections 8(c), 20(b)(ii)(C), 29(1), 25 of NDPS Act, in Crime No. 164 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 18.04.2024 around 08.00 hrs. on a secret information about the illegal transportation of ganja, the respondent police along with his team went to SOC near Elavoor Integrate check post and intercepted the petitioner's vehicle. On search, the petitioner along with other accused found in possession of 32 kgs. of ganja illegally and seized the same. Hence, the complaint.

3. The learned counsel for the petitioner submitted that this is the third petition seeking for bail and he is in judicial custody for more than five months. He would submit that there is no recovery from this petitioner and he is an innocent person and he is no way connected with the case. He



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would submit that he has not at all committed any offence as alleged by the respondent police and he was not present at the scene of occurrence. He would submit that the investigation is almost completed and he would abide by any condition that may be imposed by this court and no previous case pending against him. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally 32 kgs. of ganja recovered from the accused persons, which is a commercial quantity. He would submit that totally there are five accused involved in this case and the petitioner is arrayed as A3 in this case and A4 and A5 are still in judicial custody. He would submit that the petitioner belong to Andhra Pradesh and he is having two previous cases similar in nature. He would submit that if he is released on bail, he would tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel, considering the gravity of offence



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committed by the petitioner, he along with other accused were found to be in possession of 32 kgs. of ganja, which is a commercial quantity and the fact that two previous cases similar in nature pending against him and from A1 and A2, 16 kgs.of ganja was recovered and the fact that he belong to Andhra Pradesh and at this stage if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation and the fact that there is no change of circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, the trial court is directed to complete the trial and dispose the case as expeditiously as possible.

18.10.2024

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