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Crl.O.P.No. 25552 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 19.05.2024 for the alleged offence under Sections 8(c), r/w 20(b)(ii)(B), 25, 29(1) of NDPS Act, in Crime No. 23 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 02.05.2024 around 08.00 hrs. on a secret information, the respondent police along with his team followed all the accused by locating tower location, by which he along with other accused were travelled in a container. On search, they were found in possession of 60 kgs. of ganja totally 30 pockets, each weighing about 2 kgs. illegally and seized the same. Hence, the complaint.

3. The learned counsel for the petitioner submitted that this is the second petition seeking for bail and he is in judicial custody for more than



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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 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. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally 60 kgs. of ganja recovered from the accused persons, which is a commercial quantity. He would submit that totally there are six accused involved in this case and the petitioner is arrayed as A4 in this case. He would submit that four previous cases pending against him, in which three cases are similar in nature. He would submit that if he is released on bail, he would tamper the witnesses and hamper the investigation and investigation is not yet completed. Hence, he vehemently opposed to grant bail to the petitioner.



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5. Considering the facts and circumstances of the case and the submissions made by both counsel, considering the gravity of offence committed by the petitioner and according to prosecution, the respondent police on getting information, they followed all the accused by locating tower location, by which he along with other accused were travelled in a container and they found to be in possession of 60 kgs. of ganja, which is a commercial quantity and investigation is not yet completed 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.

18.10.2024

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