



Crl.O.P.No. 26063 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 18.04.2023 for the alleged offence under Sections 8(c) r/w 20(b)(ii)(C) and 25 of NDPS Act and later altered into Sec.8(C), 20(b)(ii)(C), 25 and 29 (1) of NPDS Act in C.C.No. 73 of 2023 pending on the file of Addl. District Judge, Special Court for EC Act Cases, Coimbatore District in Crime No.499 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 17.04.2023, on a secret information about the illegal transportation of narcotic substances, on the date of occurrence, when the respondent police conducted a vehicle check-up, at that time they intercepted the petitioner's vehicle and on search, they found the petitioner along with other accused in possession of 45.100 kgs. of ganja and seized the same. Hence, the complaint.

3. The learned counsel for the petitioner submitted that this is the



Crl.O.P.No. 26063 of 2024

WEB COPY

second petition seeking for bail and he is in judicial custody from 18.04.2023 for more than 1 year and 6 months. He would submit that there is no specific overtact attributed against this petitioner. He would submit that he has not at all committed any offence as alleged by the respondent police and he is no way connected with the occurrence and he was falsely implicated in this case. He would submit that the investigation is almost completed and for more than 1 year 6 months, there is no progress in the trial. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the accused have involved in illegal transportation of 45.100 kgs. of ganja, which is a commercial quantity and the petitioner is arrayed as A1. He would submit that now the case is posted for cross-examination of L.W.1 on 21.11.2024 and at this stage, if he is released on bail, he will 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 and also considering gravity of offence committed by the petitioner and the contraband of 45.100 kgs. of ganja



Crl.O.P.No. 26063 of 2024

WEB COPY

recovered, which is a commercial quantity and now trial was begun and for cross-examination of L.W.1, the case is posted on 21.11.2024, and at this stage if he is released on bail, he may abscond there is possibility of tampering the witnesses and hampering the investigation and also 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.

14.11.2024

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