

**Crl.O.P.No.26727 of 2024****A.D.JAGADISH CHANDIRA, J.**

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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 25.01.2023, seeking bail in Crime No.13 of 2023 for the alleged offences punishable under Sections 8(c), 20(b)ii(C), 25, 29(1) of the Narcotic Drugs and Psychotropic Act, 1995 as amended by Act 9/2001.

2. The case of the prosecution is that the petitioner along with two other accused was in possession of 44 kgs. of Ganja. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that this is the fourth application for bail and the earlier application filed by the petitioner in Crl.O.P.No.22673 of 2024 was dismissed by this Court on 24.09.2024. He also submitted that the final report had already been filed and the case was already taken up for trial in C.C.No.334 of 2023 on the file of the Principal Special Judge, EC and NDPS Court, Chennai. He also submitted that the petitioner has been suffering incarceration for more than 1 1/2 years from 25.01.2023 and that the petitioner is also ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



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4. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that it is a case where commercial quantity of 44 kgs. of Ganja is involved and that there is no change in circumstances. Hence, he vehemently opposed for the grant of bail to the petitioner.

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

6. It is seen that the earlier bail application filed by the petitioner in Crl.O.P.No.22673 of 2024 has been decided by the Hon'ble Justice Mr.P.Dhanabal and that the earlier bail application of the co-accused in Crl.O.P.No.13853 of 2024 has been decided by the Hon'ble Justice Mr.C.V.Karthikeyan. Further, it is a case where commercial quantity of Ganja is involved. The petitioner has not satisfied the twin conditions required under Section 37 of the NDPS Act and that there is no change in circumstances. Hence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

**08.11.2024**

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