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Crl.O.P.No. 27982 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) r/w 20(b)(ii)(C), 29(1) and 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, on a secret information about the illegal transportation of narcotic substances, on the date of occurrence, when the respondent police was under surveillance near Elavoor and Integrated, the check post, have conducted a vehicle check-up, at that time they intercepted the petitioner's vehicle coming from Andhra Pradesh and on search, they found the petitioner along with other accused in possession of 32 kgs. of ganja and seized the same. Hence, the complaint.

3. The learned counsel for the petitioner submitted that this is the fourth petition seeking for bail and she is in judicial custody from



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22.05.2024 for more than 5 months. He would submit that there is no specific overtact attributed against this petitioner. He would submit that she has not at all committed any offence as alleged by the respondent police and she is no way connected with the occurrence and he was falsely implicated in this case. He would submit that she was detained under Goondas Act and subsequently detention order was revoked by this court vide order dated 30.09.2024 in H.C.P.No. 2388 of 2024. He would submit that the investigation is almost completed and for more than 5 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 32 kgs. of ganja from Andhra Pradesh, which is a commercial quantity and and from her, 16 kgs. of ganja was recovered and since she is a retailer in selling ganja as well as she is the supplier of ganja and A2 had sent a sum of Rs.50,000/- to her accunt. He would submit that the petitioner is arrayed as A3 and detention order issued against her was revoked. He would submit that two previous cases pending against her,



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which are similar in nature and now investigation completed and final report was also filed. He would submit that at this stage, if she is released on bail, she may abscond and she 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 according to the prosecution, the total contraband of 32 kgs. of ganja was recovered, in which, 16 kgs. of ganja was recovered from her, which is a commercial quantity and since she is a retailer as well as supplier of ganja, a sum of Rs.50,000/- was sent by A2 to her account and she is having two previous cases, which are similar in nature and at this stage if she is released on bail, she 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.

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