



Crl.O.P.No.27586 of 2024

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P.DHANABAL, J.

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 01.02.2024, seeking bail in Crime No.35 of 2024, registered for the offences punishable under Sections 8(c) r/w Section 20(b)(ii)(c), 29(1) of the NDPS Act.

2. The case of the prosecution is that the petitioner along with other accused had purchased 30 kgs of ganja from Andhra Pradesh and the same was sold by the accused for their personal gain. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that this is the fourth bail petition filed by the petitioner. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and has been falsely implicated in this case. He further submitted that 20 kgs of ganja were recovered from this petitioner/A1 and 10 kgs of ganja were recovered from A2, and the co-accused/A2 was already released on bail by this Court. He further submitted that the petitioner is in judicial custody for more than 260 days. Hence, he prayed



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for bail stating that, the petitioner is ready to abide by any stringent conditions that may be imposed by this Court.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police raised an objection stating that the petitioner, along with other accused, had purchased 30 kgs of ganja from Andhra Pradesh and the same was sold by the accused for their personal gain. The quantity of contraband recovered from this petitioner is a commercial quantity. Therefore, this petitioner has not satisfied the conditions under Section 37 of NDPS Act. He further submitted that the investigation was completed and now the case is posted for trial. Hence, he opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and also perused the materials available on record.

6. Considering the representation made by both side counsel, the quantity involved in this case is a commercial quantity, though the co-accused released on bail, the quantity involved against him is an intermediate quantity, as far as this petitioner is concerned, the quantity



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involved is a commercial quantity, moreover in this case trial also commenced and already this court dismissed the earlier bail application and there is no change of circumstances, therefore at this stage, it is not appropriate to consider the bail application of the petitioner. Hence, this Criminal Original Petition stands dismissed.

7. Since the case is pending for a long time, it is appropriate to direct the Trial Judge to complete the trial as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

25.11.2024

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