



Crl.O.P.No.28622 of 2024

T.V.THAMILSELVI, J.

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The petitioner/A2, who was arrested and remanded to judicial custody on 23.02.2023 in Crime No.109 of 2023, for the offences punishable under Sections 8(c) r/w 20(b) (ii) (c), 29(1) and 25 of NDPS Act, seeks bail.

2. Learned counsel appearing for the petitioner submitted that this is the fourth petition and the earlier petitions were dismissed by this Court in Crl.OP.No.9892 of 2024 dated 24.06.2024. He further submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He also submitted that the petitioner is a college student and he is relative of A1 and he has been falsely implicated in this case. He further submitted that the petitioner is in custody from 23.02.2023, and he is ready to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

3. The respondent has filed a detailed counter.



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4. The learned Government Advocate (Crl.Side) submitted that the petitioner along with other accused was found in illegal possession of 70 kgs of chocolate ganja, which is a commercial quantity. He further submitted that the contraband was brought from Kolkata and sell the same in Tamil Nadu for their personal gain, and the respondent police seized the entire contraband from the accused. He further submitted that the investigation has been completed and the charge sheet has also been filed. He further submitted that the petitioner is a native place of Bihar state, if he is released on bail, there is a possibility of absconding and also tampering the evidences and threatened the witnesses. Hence, he opposed for the grant of bail to the petitioner.

5. Considering the fact that the petitioner has not satisfied the twin conditions under Section 37 of NDPS Act and there is no change in circumstances, this Court is not inclined to grant bail to the petitioner. Therefore, this Criminal Original Petition stands dismissed.

28.11.2024

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