



Crl.O.P.No.29059 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 26.11.2023, seeking bail in Crime No.212 of 2023, registered for the offence punishable under Section 20(b)(ii)(C) of NDPS Act, 1985.

2. The case of the prosecution is that on 26.11.2023, on receipt of a secret information regarding illegal selling of ganja, the Respondent along with his team, had gone to the New Bypass road, Mudaliyarpur, Puducherry, wherein, they found that the accused was in illegal possession of 50 kilograms 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 has not committed any offence as alleged in the FIR. He further submitted that the co-accused were released on bail. He further



Crl.O.P.No.29059 of 2024

WEB COPY

submitted that the petitioner is in custody from 26.11.2023 and 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 illegally possessed 50 kilograms of ganja. Based on the confession statement of the accused/A2, A2 to A6 were arrested, at the instigation of the prime accused A1, the accused persons purchased the contraband at Andhra Pradesh, and for the purpose of selling the ganja through seller/accused A7 and A8 to general public, college students and youngsters in Puducherry to earn more money and the Section was thereby altered into 20(b)(ii)(C) r/w 8(c) & 29 of NDPS Act of 1985. He further submitted that A1 is still absconding and the petitioner has three previous cases, out of which, one NDPS case and other two IPC cases and the investigation is yet to be completed.



Crl.O.P.No.29059 of 2024

WEB COPY

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, grave nature of offence and the quantity of contraband involved is a commercial quantity, and the petitioner has three previous cases, out of which, one case is NDPS case and the other cases are IPC offence, and investigation is also not yet completed, it is not appropriate to consider the bail application of the petitioner at this stage. Hence, this Criminal Original Petition stands dismissed.

27.11.2024

drl



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Crl.O.P.No.29059 of 2024

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drl

Crl.O.P.No.29059 of 2024



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CrI.O.P.No.29059 of 2024

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