



Crl.OP.No.28328 of 2023

Crl.O.P.No.28328 of 2023

G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 18.12.2022, for the offences punishable under Sections 8(c) r/w 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No. 370 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 18.12.2022, based on the secrete information, the respondent police went to the pace of occurrence and found that the petitioner was in illegal possession of 20.400 Kgs of Ganja. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that false case has been foisted as against the petitioner and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner was arrested and remanded to judicial custody on 18.12.2022 and incarcerated for the past one year. Hence, he prays to grant bail to the petitioner.



Crl.OP.No.28328 of 2023

4. The learned Additional Public Prosecutor submitted that the petitioner was found in possession of 20.400 Kg of Ganja and it is commercial quantity. He further submitted that the trail commenced in C.C.No.523 of 2023 on the file of the I additional Sessions Judge, EC& NDPS Act, Chennai. Further, this is the fourth bail petition and this Court already dismissed the earlier petitions filed by the petitioners. If the petitioner released on bail, he would tamper the witnesses and hamper the evidence. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that the petitioner was found in possession of alleged contraband and there are materials to attract the offence as against the petitioner herein. Therefore, the petitioner failed to satisfied the twin conditions under Section 37 of the NDPS Act. Further this Court already dismissed the earlier bail petitions on three occasions and there is no change in circumstances to entertain this petition. Taking consideration of the above facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

10.01.2024

rts



WEB COPY



Crl.OP.No.28328 of 2023

G.K.ILANTHIRAIYAN, J.

Crl.O.P.No.28328 of 2023

10.01.2024