



Crl.OP.No.2048 of 2023

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T.V.THAMILSELVI, J.

The petitioner who was arrested and remanded to judicial custody on **19.08.2022** for the offences punishable under **Sections 8(C), 20(b)(ii)(C), and 29(i) of Narcotic Drugs and Psychotropic Substances Act, 1985** in Crime No.27 of 2022, on the file of the respondent police, seek bail.

2. The case of the prosecution is that while the respondent police engaged in routine patrol, they found that the petitioner along with another was found in illegal possession of 22 kgs of of ganja worth about Rs.2,20,000/-. On enquiry, the respondent police came to know that they purchased the ganja from Andra Pradesh for the purpose of selling it to the local people for personal gain and the contraband were seized by the respondent police. Hence, the complaint.

3.The learned counsel for the petitioner would submit that this is the second application for bail and the earlier application was dismissed by this Court on the ground that the contraband involved in this case is commercial



quantity. He would further submit that the petitioner is ready to abide by any stringent condition imposed on him by this Court and the petitioner has been suffering incarceration from 19.08.2022 and hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police would submit that the petitioner was arrested and remanded to judicial custody on 19.08.2022 for the illegal possession of 22kgs of ganja, the same was seized by the respondent police. The seized contraband is commercial quantity. He would further submit that the petitioner has not satisfied the conditions under Section 37 of NDPS Act and the persons who are all habitual offenders face several cases in their credit may not have released on bail on routine manner. Hence, he would vehemently oppose to grant bail to the petitioner.

5. Taking into consideration the facts and the submissions made by both counsel and also taking note of the fact that the seized contraband in this case is commercial quantity and there is no change in circumstances of the case, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, these Criminal Original Petition is dismissed.

31.01.2023

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