



Crl.O.P.No.3768 of 2023

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**T.V.THAMILSELVI, J.**

The petitioner, who was arrested and remanded to judicial custody on 16.06.2022 for the offences punishable under Sections 8(c) and 22(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.347 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on receiving a secret information, the respondent Police along with his team went to the scene of occurrence and they found the petitioner along with other accused was found in illegal possession of 21 nos of MDMA ecstasy tablets total weight of 12 grams and 23 mgs. Hence the case.

3.Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has nothing to do with the alleged offence. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is in judicial custody



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for more than 9 months, but there is no progress in trial. Hence, he prays to grant bail to the petitioner.

4.Learned Government Advocate (Crl.Side) submitted that the petitioner along with other accused was found in illegal possession of 21 nos of MDMA ecstasy tablets total weight of 12 grams and 23 mgs, which comes under commercail quantity. He further submitted that from this petitioner only, the commercial quantity was recovered. He also submitted that there is one previous case pending against the petitioner and the lab report is not yet received. Therefore, he vehemently opposed for grant of bail to the petitioner.

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

6.Considering the facts and circumstances of the case and the submissions made by both counsel and the contraband involved in this



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case is commercial quantity and the previous bad antecedent of the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed. However, the respondent Police is directed to get the lab report within a period of four weeks from the date of receipt of copy of this order and thereafter, the learned trial Judge is directed to complete the trial as expeditiously as possible.

**20.02.2023**

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