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CRL OP No. 13114 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13114 of 2026

Karthik Raja

..Petitioner(s)

Vs

State Rep by
The Intelligence Officer
NCB, Chennai Zonal Unit,
Chennai. (R.R.No.23 of 2024)

..Respondent(s)

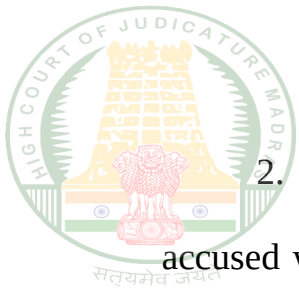
PRAYER : Criminal Original Petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail
pending trial in C.C.No.676 of 2024 on the file of the Principal Special Judge
for NDPS Act Cases, Chennai and thus render justice.

For Petitioner(s): Mr.V.K.Sathiamurthy

For Respondent(s): Mr.A. Kumaraguru, Special Public Prosecutor

ORDER

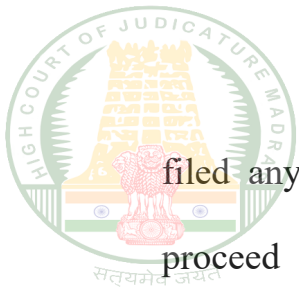
The petitioner, who was arrested and remanded to judicial custody on
22.02.2024 for the alleged offences under Sections 8 (c) r/w 22 (c), 23 (c), 25,
27 (A), 28 and 29 of NDPS Act, in R.R.No.23 of 2024 on the file of the
respondent police, seeks bail.



2. The case of the prosecution is that the petitioner along with other accused was found in illegal possession of 500 MDMA tablets, 16.4 grams of Mephedrone and 6 grams of Amphetamine while they were travelling in a two-wheeler. Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been in custody since 22.02.2024. He further submitted that the petitioner being incarcerated for more than two years without any progress in the trial, would directly affect his right to liberty under Article 21 of the Constitution of India. He further submitted that vide an order dated 20.12.2024 in Crl.O.P.No.30421 of 2024, this Court directed the trial to be completed within a period of four months; however, despite this direction, there has been no progress by the respondent. Hence, he prays to grant bail to the petitioner.

4. Per contra, the learned Special Public Prosecutor appearing for the respondent police submitted that following the order passed on 20.12.2024, the charge sheet was filed on 05.03.2025 and the trial commenced on 19.03.2025. Although a summons was issued to L.W.1 on 26.05.2025, the petitioner changed his counsel. Therefore, a fresh summons was issued to L.W.1 on 23.09.2025. Subsequently, from 07.10.2025 to 20.01.2026, the chief examination of the P.W.1 continued and on 09.03.2026, an application was filed to obtain a 65-B certificate. From 09.03.2026 to till date, the petitioner has not



filed any counter statement. The respondent police are not in a position to proceed with the trial solely due to this systematic delay caused by the petitioner. Hence, he prayed for dismissal of this application.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

6. Admittedly this is a case involving the recovery of a commercial quantity. The only ground urged by the petitioner's counsel is the violation of right to liberty under Article 21 of the Constitution of India, due to prolonged incarceration of the petitioner since 22.02.2024, apart from that there is non-compliance of the direction issued by this Court vide order dated 20.12.2024 to complete the trial within four months from the date of receipt of a copy of that order.

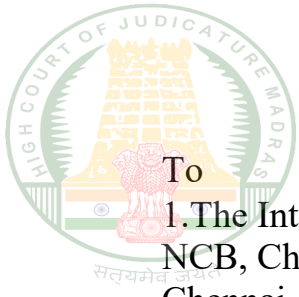
7. From the submissions of the learned Special Public Prosecutor, this Court finds that the systematic delay in proceeding with the trial is caused by the petitioner. Therefore, as rightly contended by the learned Special Public Prosecutor, there is no abnormal delay on the part of the respondent; progress in the trial has been stalled solely due to the non-filing of the counter-statement. In light of these circumstances, this Court finds no merits in favour of the petitioner. Furthermore, this case involves a commercial quantity and the



submissions made by the petitioner in respect of Article 21 of the Constitution of India, finds no substance. Hence, this Court finds no merits in this application. Accordingly, the Criminal Original Petition is dismissed

13-07-2026

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To

1. The Intelligence Officer
NCB, Chennai Zonal Unit,
Chennai

2. The Public Prosecutor
High Court of Madras.

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C.KUMARAPPAN, J.

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