

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.10.2020

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.14915 of 2020

N.Karthick Anand

... Petitioner

Vs.

The Inspector of Police,
NIBCID, Chennai
(Crime No.23 of 2019)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail in C.C.No.129 of 2019, on the file of the learned Special Judge, I Additional Special Court for Exclusive Trial of Cases under EC & NDPS Act, Chennai.

For Petitioner : Mr.A.Tamilvanan

For Respondent : Mrs.S.Thankira

Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 07.03.2019, for the offences punishable under Sections **8 (c), R/W 22(c), and 25 of NDPS Act, 1985**, in Crime No.23 of 2019, seeks bail.

2.The case of the prosecution is that when the respondent police on secret information conducted a search, they found that the petitioner was in possession of LSD stamps inside the polythene cover in 0.830 mg, without polythene cover the net weight of 0.430 mg. And also he was in possession of 45-MDMA tablets weighing 13.190 g. and the net weight of the contraband without polythene cover is 12.050 g.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that as per the recovery mahazar and charge sheet the LSD Stamps (P1) seized were 0.830mg with polythene cover and MDMA tablets (P2) weighed 13.190

grams with cover, when the said contraband substance was sent for chemical analysis by the Court by sample packets P1 & P2 it was stated to be weighing 0.008 Kg and 0.020 Kg respectively which is only an inbetween quantity and thereby seeks for bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that the Trial has commenced and that PW1 has been examined in chief and he has also been cross examined and further there are only six witnesses in this case and except witness No.3, all the other witnesses are Government / Official witnesses and the respondent will be able to complete the Trial at the earliest. She would further submit that the petitioner is entitled to raise all these grounds very well before the Trial Court. She would further submit that the petitioner is in custody from 07.03.2019.

5.Heard the learned counsel on either side. Perused the documents placed on record.

6.Taking into consideration of the fact that the Trial has commenced and that examination of PW1 has been completed and there are only five other witnesses and except Witness No.3, all other witnesses are Government / Official witnesses, this court is not inclined to grant bail to the petitioner. However, a direction is issued to the learned Trial Judge to complete the Trial as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

7.This Criminal Original Petition stands dismissed accordingly.

-sd/-
01/10/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SPECIAL JUDGE
I ADDITIONAL SPECIAL COURT FOR EXCLUSIVE TRIAL
OF CASES UNDER EC & NDPS ACT, CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE
NIBCID, CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

+1 CC to M/S. A.TAMILVANAN Advocate on payment of necessary
charges SR.NO.6616

CRL OP.14915/2020

Date :01/10/2020

TA-06/10/2020