



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.10461 of 2021

R.NISHANTH RYAN

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
NIB-CID,
CHENNAI.CR.NO.8/2020

[RESPONDENT]

For Petitioner : M/S.J.WILLIAM SHAKESPHERE Advocate

For Respondent : M/S. C.E.PRATAP, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested on 22.02.2020 and remanded to judicial custody for the alleged offences punishable under Sections 8(c) 22(c), 20(b)(ii)(B), 25, 29(1) of NDPS Act, in C.C.No.92 of 2020 on the file of the learned Principal Special Judges, NDPS Cases. Chennai, seeks bail.

2. The case of the prosecution is that on 22.02.2020 based on a secret information, the respondent police found that the petitioner along with other accused was transporting drugs viz., MDMA, Metamorphine and L.S tablets 2.5 K.G cannabis (Ganja) and the same was seized from the second accused. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offences and he has been falsely implicated in this case. He further submits that the petitioner has been jail from 22.02.2020. He further submits that earlier, this Court had dismissed the bail application in Crl.O.P.No.11728 of 2020 dated 12.08.2020 on the ground that the quantum of contraband involved in this case is a commercial quantity and the co-accused bail applications were dismissed by this Court in Crl.O.P.No.11340 and 11548 of 2020 dated 29.07.2020 and



03.08.2020 respectively, again, the petitioner filed a second bail application before this Court in Crl.O.P.No.15912 of 2020 dated 08.10.2020 was dismissed by this Court and issued direction to the trial Court to complete the trial as expeditiously as possible preferably, within a period of six month from 15.10.2020 Thereafter, the petitioner has filed a application before the Hon'ble Apex Court in SLP.No.5675 of 2020, the Hon'ble Apex Court had dismissed the SLP on 05.02.2021 and observed that already High Court had fixed the time limit to complete the trial within a period of six months and the Hon'ble Apex Court had granted liberty to the petitioner to renew his bail application after 15.04.2021 in event the trial is not completed by that time. The Trial Court Court shall consider the application for bail, if so filed, without being influenced by any observations made by the High Court in the impugned order.

4. The learned Government Advocate (Crl.Side) submitted that this Court by an order dated 08.10.2020 issued direction to the trial Court to complete the trial within a period of six months. He further submitted that due to covid-19 pandemic, the trial Courts were closed. He further submits that the trial is yet to be commenced.

5. Considering the facts and circumstances of the case and also the fact that earlier twice, this Court had dismissed the bail application and the grievance of the petitioner, this Court by an order dated 08.10.2020 issued the direction to the Trial Court to complete the trial within a period of six months since the trial was not completed on the ground that due to covid pandemic situation started on 23.03.2020 and it is continue to second way and during pandemic, the Courts were not properly functioning and the trial Courts were closed. Hence, the grievances of the petitioner is not sustainable..

6. Accordingly, this Criminal Original Petition is dismissed and trial Court is directed to complete the trial as expeditiously as possible.

-sd/-
05/08/2021

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.



1 THE INSPECTOR OF POLICE,
NIB-CID, CHENNAI.

2 THE SUPERINTENDENT
CENTRAL PRISON, PUZHAL.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

COPY TO:

THE PRINCIPAL SPECIAL JUDGE,
NDPS COURT, CHENNAI.

CC to M/S.J.WILLIAM SHAKESPHERE Advocate on payment of necessary
charges

CRL OP.10461/2021

Date :05/08/2021

APN 02/09/2021