



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2022

CORAM:

THE HON'BLE MR.JUSTICE R.PONGIAPPAN

Cr1.O.P.No.3036 of 2022

Sasikumar

... Petitioner

Vs.

The State rep. by
The Inspector of Police
D5, Marina Police Station, Chennai.
(Crime No.829 of 2020)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.829 of 2020 on the file of the respondent police.

For Petitioner : Mr.S.Mohamed Ansar

For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor

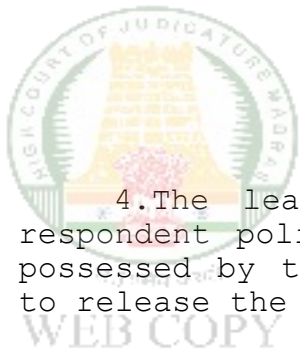
ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 28.12.2020 for the offences under Sections 8(c), r/w 20(b) (ii) (c) and 25 of NDPS Act, 1985, in Crime No.829 of 2020, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 28.12.2020, the petitioner was found in possession of 21 Kg of Ganja. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. However, the petitioner is ready to abide by any condition imposed by this Court. He would further submit that after arresting the petitioner on 28.12.2020, the material objects which are all necessary for completing the investigation are all recovered. Hence, he prays for grant of bail.



4. The learned Additional Public Prosecutor appearing for the respondent police would fairly admit that the contraband which were possessed by the petitioner are all recovered. However, she opposed to release the petitioner on bail.

5. The submissions made by the learned Counsel on either side are considered.

6. The averments found in the FIR discloses the fact that during the relevant point of time, the petitioner possessed 21 Kgs of contraband and as of now, the case is pending before the trial Court. LW.1 was examined and the case is posted for examination of remaining witnesses.

7. Though the submission made by the learned counsel appearing for the respondent is a reasonable one, considering the fact that during the relevant point of time, the petitioner was found possession of 21Kgs of Ganja which is a classified as commercial quantity, this Court is not inclined to grant bail to the petitioner.

8. However, considering the facts and circumstances of the case, this Court is inclined to issue an appropriate direction to the trial Court for the early disposal of the case. The learned Special Judge, I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai is directed to dispose of the case within a period of two months from the date of receipt of a copy of this order.

9. With the above direction, this Criminal Original Petition is dismissed.

-sd/-
09/02/2022

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 NDPS ACT, CHENNAI.

2 THE METROPOLITAN MAGISTRATE,
NO.XXIII, SAIDAPET.



3 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION],

4 THE INSPECTOR OF POLICE
D5, MARINA POLICE STATION,
CHENNAI

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.MOHAMED ANSAR Advocate on payment of necessary
charges SR.NO.2133

CRL OP.3036/2022

Date :09/02/2022

JPA 15/02/2022