



Crl.O.P.No.20954 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 25.04.2022 for the alleged offences punishable under Section Sections 8(c) & 20(b)(ii)(C) of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.292 of 2022, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 21 kilograms of Ganja, which is a commercial quantity. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would also submit that investigation has been completed and the final report has also been filed before the learned Principal Special Judge, NDPS & EC Act, Chennai on 16.08.2022 and it is yet to be taken on file. Hence, he prays for grant of bail to the petitioner.



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4. Per contra, the learned Government Advocate (Crl.Side) would submit that the petitioner is a habitual offender and there are 38 previous cases against him including the offence similar in nature which attracts Section 37 of NDPS Act. He would also submit that investigation has been completed and the final report has also been filed. Therefore, he vehemently opposed to grant bail to the petitioner.

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

6. This Court is of the opinion that the petitioner is not able to satisfy the condition as required under Section 37 of the NDPS Act. Further, taking into consideration the submissions of the learned Government Advocate (Crl.Side) that the petitioner is a habitual offender in the NDPS cases and the final report has also been filed after completion of investigation, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, the Criminal Original Petition stands dismissed. However, the trial Court is directed to take cognizance of the final report and 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.

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