



Crl.O.P.No.27677 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2022

CORAM

THE HON'BLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.27677 of 2022

Ranjithkumar

... Petitioner

-Vs.-

The State rep by
The Inspector of Police,
D5, Marina Police Station,
Chennai
(Crime No.831 of 2020)

.. Respondent

Criminal Original Petition filed under Section 439 of Code of Criminal Procedure to enlarge the petitioner on bail in C.C.No.180 of 2021 on the file of the learned Special Judge, II Additional Special court for Exclusive Trial of cases under NDPS Act, Chennai in Crime No.831 of 2020 on the file of the respondent police.

For Petitioner :Mr.S.Mohamed Ansar

For Respondents :Mr.N.S.Suganthan,
Government Advocate (Criminal side)



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ORDER

This Criminal Original Petition has been filed seeking bail under NDPS Act.

2. The petitioner is the sole accused being tried for the alleged possession of Ganja of commercial quantity. Out of 8 witnesses, so far 4 witnesses have been examined and referring the depositions of the 4 witnesses, the learned counsel for the petitioner pointing out the contradictions and omissions leading to the inference that there is a mandatory violations and falsehood in the prosecution. Hence, seeks for bail.

3. However, the learned Government Advocate (Criminal side) oppose granting bail on the ground that the petitioner being tried for possession of Ganja of commercial quantity and 4 witnesses so far examined and 4 more witnesses yet to be examined. Appreciating the evidence of the witnesses so far examined before completion of trial will cause prejudice to the prosecution case.



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4. This Court finds force in the submission of the learned Government Advocate (Criminal side) and therefore, dispose of this bail petition with the direction to the respondent to marshal the remaining 4 witnesses within a period of two months from the date of receipt of copy of this order and complete the trial and direct the trial Court to appreciate the evidence on whole and arrive at conclusion.

5. With these directions, this Criminal Original Petition is disposed of.

18.11.2022

Speaking/Non-speaking order

Index: Yes/No

Internet : Yes/No

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To

- 1.The Special Judge,
II Additional Special Court
for Exclusive Trial of cases under NDPS Act,
Chennai.
- 2.The Superintendent,
Central Prison I,
Puzhal, Chennai.
- 3.The Inspector of Police,
D5, Marina Police Station,
Chennai
(Crime No.831 of 2020)
- 4.The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN.J.,

nsa

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