



Crl.O.P.No.3299 of 2023

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T.V.THAMILSELVI,J.

The petitioner, who was arrested and remanded to judicial custody on 18.07.2020 for the offences punishable under Sections 8(c) r/w Section 20(b)(ii)(c), 25 & 29(1) of NDPS Act 1985 in Crime No.19 of 2020, pending trial in C.C.No.1 of 2021 before the Principal Special Judge, Special Court for Exclusive Trial of cases under EC & NDPS Act, Chennai, seek bail.

2. The case of the prosecution is that on 18.07.2020 at about 07.00 hours, based on the secret information received, the respondent police intercepted a vehicle bearing registration No.TN-02-BQ-4594 at Madhavaram Roundtana and seized 74 kgs of ganja from Accused persons. Hence, the complaint.

3. Learned counsel for the petitioner submitted that this is the second bail application of the petitioner before this Court and this Court



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had earlier dismissed the bail application filed by the petitioner in Crl.O.P.No.4824 of 2021 vide order dated 09.04.2021. He further submitted that the petitioner has been falsely implicated in this case. He further stated that the petitioners are in custody from 18.07.2020 and they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the contraband seized is a commercial quantity and would further submit that there is a bar under Section 37 of NDPS Act for granting bail. He further submitted that the trial has commenced, P.W.4 was examined and the matter is adjourned for examination of P.W.5. Hence, he opposed for grant of 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 entire materials available on record.



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6. Taking into consideration the facts and circumstances of the case and the contraband involved in this case is commercial quantity and also taking note of the fact that there is no change in circumstances, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed. However, the trial Court is directed to dispose the case within a period of three months from the date of receipt of a copy of this order.

22.02.2023

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