



Crl.O.P.No.4062 of 2023

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T.V.THAMILSELVI,J.

The petitioners, who were arrested and remanded to judicial custody on 29.07.2022 for the offences punishable under Sections 8(c) r/w 22(c), 29(1) of NDPS Act, in Crime No.605 of 2022 on file of the respondent police, seek bail.

2. The case of the prosecution is that on 29.07.2022, on receipt of the secret information, the respondent and his team went to the scene of occurrence i.e., near Thiruvottiur Mattumandhai Bridge. On seeing the police, the accused attempted to escape, whereas, the respondent caught them and on search, they found that the petitioners are in illegal possession of 22 tablets of MDMA ECSTACY weighing 12 grams. Hence the case.

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



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had earlier dismissed the bail applications filed by the petitioners in Crl.O.P.Nos.21343, 25450, 31567 of 2022 and Crl.O.P.No.1849 of 2023 vide orders dated 29.09.2022, 10.11.2022, 04.01.2023 and 30.01.2023 respectively. He further submitted that since the petitioners have got some previous cases, they have been falsely implicated in this case. He further stated that the petitioners are in custody from 29.07.2022 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 petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners are habitual offenders and also history sheeted rowdies in H.S.Nos.04 & 05 of 2021 respectively. He further submitted that several previous cases including the triple murder case are pending against these petitioners. He also submitted that this is the fifth bail application of these petitioners and there is no change in circumstances. He further stated that if the petitioners are released on bail, they would tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant bail to



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the petitioners.

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5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and also considering the previous antecedents of the petitioners and also taking note of the fact that there is no change in circumstances, this Court is not inclined to grant bail to the petitioners.

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

22.02.2023

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Copy to:
The Principal Special Judge,
The Principal Special Court under EC & NDPS Act,
Chennai.

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