



Crl.O.P.No.3686 of 2023

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WEB C **T.V.THAMILSELVI, J.**

The petitioner who was arrested and remanded to judicial custody on 25.05.2019 for the offences punishable under Sections 8(c) read with Section 21 (c) of Narcotic Drugs and Psychotropic Substances Act, in C.C.No.128 of 2019 pending on the file of the learned Principal Special Judge for NDPS Act, Chennai, seeks bail.

2. This is the second bail application and petitioner is the sole accused in this case. The case of the prosecution is that the petitioner had bought contraband from one Sathar Bai at Manchor Railway Station, Madhya Pradesh with the condition to pay a sum of Rs.3,00,000/- to him after the contraband sold. On 25.05.2019 when the petitioner tried to sell the same at Chennai near Purasawalkam Saravana Stores, the respondent police had arrested him and seized 500 grams of Heroin.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely roped in this case.



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He would submit that the petitioner is in custody for more than four years.

Hence, he prays to grant bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner was in the possession of 500 grams of Heroin and the same was seized by the respondent police. He further submitted that the quantum of contraband involved in this case is a commercial quantity. He also submitted that the petitioner is a habitual offender and there is one previous case pending in Cr.No.106/2018, U/s 8, 15, 19 NDPS Act on the file of Madhya Pradesh, Neemuch, Baghana Police Station and the respondent police filed a detailed counter. Hence, he vehemently opposed for the grant of bail to the petitioner.

5. Taking into account the nature offence and the fact that the contraband involved in this case is a commercial quantity and there is no change in circumstances, this Court is not inclined to grant bail to the petitioner. However, direction is given to the learned Trial Judge to complete the trial within a period of three months from the date of receipt of a copy of this order.



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WEB COPY 6. With the above observation, this Criminal Original Petition stands dismissed.

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24.02.2023



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