

CRL.O.P.No.3897 of 2023

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T.V.THAMILSELVI,J.

The petitioner who was arrested and remanded to judicial custody on 28.07.2021 for the offences under Sections 8(c) r/w 20(b)(ii)B, 22(c), 25 and 29(1) of the NDPS Act 1985 in C.C.No.322 of 2021 on the file of the learned Principal Special Judge, EC- cum-NDPS Act Cases, Chennai in respect of Crime No.2362 of 2021 on the file of the Inspector of Police, H1, Washermanpet Police Station, Chennai, seeks bail.

2. The case of the prosecution is that based on the secrete information by the informant, the respondent police intercepted the two wheeler bearing registration No.TN-02-BR-7004, TN-09-CU-6570 and TN-07-CB-1913 at Moolakothalam Graveyard wherein the petitioner/A5 and other accused were found in possession of 2 Kgs of Ganja and 11 thousand numbers of Nitrovit Tablets (6622.2grams) and 1400 numbers of Tydol Tablets (378.8grams) and the respondent police seized the contraband and arrested them. Hence the complaint.



3. The learned counsel for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 28.07.2021. The petitioner already underwent substantial portion of imprisonment. He further submits that he is an innocent person, law-abiding citizen and he is ready to abide by any condition and furnish substantial sureties to the satisfaction of this Court. Hence, he seeks bail.

4. The learned Government Advocate (Crl. side) raised objection stating that the contraband involved in this case is commercial quantity. He further submitted that the trial has commenced and the petitioner failed to engage a counsel to defend his case and also not cooperating for trial proceedings. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case, the gravity of offence committed by the petitioner, the contraband involved in this case is commercial quantity and there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed. However, the learned Trial Judge is directed to give one more opportunity to



the petitioner to engage an Advocate on his own, if he fails to engage an Advocate, on the next date of hearing, the learned Trial Judge may appoint an Advocate through legal aid and complete the trial within a period of six months from the date of receipt of copy of this order.

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