



Crl.O.P.No.6584 of 2023

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**A.D.JAGADISH CHANDIRA.,J.**

The petitioner, who was arrested and remanded to judicial custody on 13.03.2020, for the offences punishable under Sections 8(c) r/w. 21(c), 22(c), 28 and 29 of the Narcotics Drugs and Psychotropic Substances Act, 1985 in R.R.No.15 of 2020, on the file of the respondent police, seeks bail.

2.This is the third bail petition filed before this Court. The case of the prosecution is that the petitioner along with three other accused were found in illegal trade of 22.695 kgs of Tramadol tablets. Hence the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that this is third bail petition and the petitioner is in judicial custody from 13.03.2020 and thereby, due to long period of incarceration, he would pray that he may be granted bail.



Crl.O.P.No.6584 of 2023

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4. The learned Special Public Prosecutor would submit that this is a case where the petitioner along with three other accused was found in illegal trade of 22.695 kgs of Tramadol tablet, which is a commercial quantity. He would submit that this Court taking into consideration the entire facts and by elaborate order on 23.12.2020, had dismissed the earlier petition. He would submit that there is no change of circumstances, this Court has found that the petitioner has not satisfied the condition required under section 37 of the NDPS Act for grant of bail and the trial has commenced and 6 witnesses have been examined so far and 4 witnesses are yet to be examined, at this stage, if bail is granted to the petitioner, there is every possibility of absconding. 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) and perused the materials available on record including the First Information Report.

6. Taking into consideration the above facts and circumstances of the case and materials available on record and by order dated 23.12.2020 in



Crl.O.P.No.6584 of 2023

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Crl.O.P.No.1136 of 2020 had dismissed the earlier petition, there is no change of circumstances, hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

**29.03.2023**

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Crl.O.P.No.6584 of 2023

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*Mpa*

**Crl.O.P.No.6584 of 2023**

**29.03.2023**