



Crl.O.P.No.7131 of 2023

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A.D.JAGADISH CHANDIRA.,J.

(This case has been heard through Video Conferencing)

The petitioner, who was arrested and remanded to judicial custody on 08.12.2021 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(c) of NDPS Act, in Crime No.791 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 08.12.2021, at about 08.35 hours, on receipt of a secret information about the illegal transport of Narcotic Substance, the Sub-Inspector of Police along with his team went to the place of occurrence, wherein, the petitioner along with the other accused were found in illegal transportation of 21.4 kilograms of Ganja and the respondent have seized the contraband and arrested the accused. Hence the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner, who is the resident of Tirupura,



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is a construction labourer and he came to Tamil Nadu for construction work, whereas, a false case has been registered against him. He further submitted that the petitioner is in judicial custody from 08.12.2021. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (crl.side) appearing for the respondent Police submitted that the petitioner, who is arrayed as A1, along two other accused were intercepted on 08.12.2021 and from their possession, 21.4 kgs of Ganja was recovered, which is a commercial quantity. He further submitted that the recovery was made from the petitioner and he is a resident of Tirupura. He also submitted that the investigation has been completed and the case has been taken up for trial in C.C.No.166 of 2022 and there are only three witnesses in this case and the respondent will be able to complete the trial at the earliest. He further submitted that if the bail is granted to the petitioner at this stage, there is every possibility of him absconding and not being available for trial. He also submitted that the petitioner has not satisfied the twin conditions required under Section 37 of the NDPS Act. Hence, he opposed for grant of bail to the petitioner.

5.Heard the learned Counsel for the petitioner and the learned



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Government Advocate (crl.side) and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and the contraband involved in this case is commercial quantity, this Court is not inclined to grant bail to the petitioner.

7.However, the learned Special Judge for EC and NDPS Act cases, Chennai is directed to complete the trial as expeditiously as possible, preferably, within a period of three months from the date of receipt of a copy of this order

8. With the above direction, this Criminal Original Petition is dismissed.

10.04.2023

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