



Crl.O.P.No.8087 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner who was arrested and remanded to judicial custody on 12.11.2021 for the offences under Sections under Sections 8(c), 20(b) (ii)(B) of Narcotic Drugs and Psychotropic Substance Act in Crime No.327 of 2018, on the file of the respondent police in C.C.No.194 of 2018 on the file of the Ist Additional Special Judge, NDPS & EC Act, Chennai, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 12.11.2021 on execution of Non Bailable Warrant issued against him on 27.12.2019.

3. The learned counsel for the petitioner would submit that the petitioner is arrayed as A1 in C.C.No.194 of 2018 on the file of the Ist Additional Special Judge, NDPS & EC Act, Chennai, and he was regularly appearing before the trial Court. However, on 27.12.2019 due



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to pandemic and non communication between him and his counsel, the petitioner could not appear before the Court and subsequently, the petitioner was arrested and remanded to judicial custody in another case on 15.08.2020 and thereafter, he was also detained under Act 14 on 05.09.2020 and subsequently, the petitioner was arrested in this case through P.T. Warrant on 12.11.2021 on execution of Non Bailable Warrant and that the petitioner has been in judicial custody for nearly 17 months. He would submit that the petitioner undertakes to appear before the trial Court on all future hearing dates and to co-operate for the speedy disposal of trial. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police vehemently opposed for grant of bail to the petitioner stating that the petitioner is a habitual offender against whom there are 31 cases pending including 2 case case for the offence under 307 IPC, and one case for the offence under 302 IPC and also for the offence under Section 379 IPC. He would submit that the petitioner did not appear before the trial Court in 27.12.2019 and thereby, the trial Court



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issued Non Bailable Warrant against the petitioner and later the petitioner was remanded in jail in another case and subsequently, he was produced in this case through PT Warrant. He would submit that there are totally 7 witnesses in this case and so far P.W.1 has been examined. The respondent is taking endeavor to complete the case as expeditiously as possible and if the petitioner is let out on bail at this stage, there is every possibility of absconding and also tampering the evidence.

5. Taking into consideration the fact and circumstances of the case and the fact that the petitioner is a habitual offender against whom there are 31 cases pending and that the petitioner has been arrested after a considerable time, this Court is not inclined to grant bail to the petitioner.

6. Further, since the case is of the year 2018 and it is pending for about 4 years, a direction is issued to the trial Court to complete the trial as expeditiously as possible preferably within a period of three months from today.



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7. With the above directions, this Criminal Original Petition is dismissed.

27.04.2023

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Note: Issue Order copy on 02.05.2023.

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