



Crl.O.P.No. 11363 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 06.02.2022 for the alleged offence under Sections 8(c), r/w 20(b)(ii)(C), 25 and 29(i) of NDPS Act in Crime No.6 of 2022 on the file of the respondent police, pending trial in C.C.No.154 of 2022 on the file of II Addl. Special Judge for NDPS Act cases at Chennai, seeks bail.

2. The case of the prosecution is that on 06.02.2022, on receipt of a secret information about bringing ganja for sale by transporting the same in a car at Kakalur weight bridge junction, the respondent police intercepted the vehicle and on search, they found the accused were in illegal possession of 60 grams of ganja from the car and the same was seized by them. Hence, the complaint.

3. The learned counsel for the petitioner submitted that there is no contraband recovered from this petitioner and this is the fourth petition



Crl.O.P.No. 11363 of 2023

WEB COPY

seeking for bail. He would submit that he has not at all committed any offence as alleged by the respondent police and he is no way connected with the occurrence. He would further submit that he has been falsely implicated in this case and the petitioner has been suffering incarceration from 06.02.2022. He would submit that for the past 16 months, there is no progress in the trial. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner along with other accused found in possession of 60 kilo of ganja, which is a commercial quantity and there are two previous cases similar in nature pending against him. He would submit that now the trial is in progress and A1 engaged a counsel, but for other co-accused, they have not engaged the counsel. He would submit that on knowingly well, the petitioner involved in the offence. He would submit that if he is released on bail, he would tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant bail to the petitioner.



Crl.O.P.No. 11363 of 2023

WEB COPY

5. On perusal of records, it is seen that 60 grams of ganja was recovered from the accused, which is a commercial quantity and for the past 16 months, there is no progress in the trial. Therefore, on the next date of hearing, if the co-accused not engaged a counsel, the trial court is directed to engage a legal-aid counsel and complete the trial and dispose the case within a period of three months from the date of receipt of copy of this order. Accordingly, this Criminal Original Petition is disposed of.

08.06.2023

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Crl.O.P.No. 11363 of 2023

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rpp

Crl.O.P.No. 11363 of 2023

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