



CrI.O.P.No.13860 of 2023

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A.D.JAGADISH CHANDIRA,J.,

The petitioner, who was arrested and remanded to judicial custody on 05.09.2022, for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(c), 25 and 29(i) of NDPS Act in Crime No.302 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 04.09.2022 at about 13.00 hours, based on a secret information, when the respondent police intercepted the Innova Crysta car bearing Reg.No.TN-49-BL-5050, the accused persons were found in possession of 21.300 kg of Ganja. Hence, the case.

3. The learned counsel for the petitioner would submit that this is the second application for bail and the earlier application filed by the petitioner in CrI.O.P.No.4909 of 2023 was dismissed by this Court by order dated 23.03.2023 and that the petitioner has been in judicial custody for more than 8 months from 05.06.2022. Hence, taking into consideration the period of incarceration of the petitioner, bail may be granted to the petitioner.



4. The learned Government Advocate (Crl. Side) vehemently opposed for grant of bail to the petitioner stating that it is a case of recovery of commercial quantity of Ganja of 21.300 kgs. He would submit that now the charges have been framed and the case is posed on 30.06.2023 for examination of witnesses. He would further submit that there only 11 witnesses in this case and that the respondent would be able to complete the trial within specified time.

5. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent police and perused the materials available on record.

6. This Court had taken into consideration that the petitioner had not satisfied the condition required under Section 37 of NDPS Act, dismissed the earlier application filed by the petitioner by order dated 23.03.2023 and that there is no change in circumstance. Hence, this Court is not inclined to grant bail to the petitioner.

7. However, a direction is issued to the learned Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act, Coimbatore, to complete the trial in Spl.C.C.No.170 of 2022 within a period of four months from the date of receipt of a copy of this order.



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

21.06.2023

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Copy to:

The Additional District Judge/Presiding Officer,
Special Court for Essential Commodities Act, Coimbatore



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