



Crl.O.P.No. 17892 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 13.03.2020 for the alleged offence under Sections 8(c) r/w 22(c), 28, 29 and 31 of NDPS Act in C.C.No. 103 of 2020 (in R.R.No. 15 of 2020) in F.DRI/CZU/VIII/48/EQ.1INT-6/2020, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 12.03.2020, on a secret information about indulging in illicit manufacture of tramadol tablet, the respondent police went to M/s. Lakshmi Cargo Company at Poonamallee and intercepted them and on search, they found the petitioner along with other accused were in possession of 22.695 kgs. of tradamod tablets and seized the same. Hence, the complaint.

3. The learned counsel for the petitioner submitted that there is no specific overtact attributed against this petitioner and A4 is the



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manufacturer of drugs. He would submit that A2 and A3 were only in possession of drugs and the same were recovered. He would submit that the xerox copies of passport, ration card and aadhar card only recovered from this petitioner and furthermore, P.W. 1 in his deposition stated that the material objects recovered from A1 is passport, adhar card and ration card. According to prosecution, he has received a sum of Rs.5 lakhs from a courier boy and handed over to A2 and there is no property recovered from this petitioner. 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 the investigation is almost completed and that the petitioner has been suffering incarceration for more than three years 7 months from 13.03.2020. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, there are 4 accused involved in this case and the petitioner is arrayed as A1. He would submit that the petitioner is an habitual offender and also one of the accused in a case of smuggling



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of 100 kgs. of ephedrine, for which a criminal case in No.41 of 2010 is pending against him and after due trial, he was also convicted for the offence of NDPS Act. He would submit that even then, now he involved in the present case of commercial quantity. He would further submit that a significant number of images of methamphetamine, another contraband was recovered from his mobile phone. He would submit that he is a main person to receive the contraband. He would submit that now the trial is in progress and P.W.1 is examined. He would submit that he was involved in another case and to that effect, he submitted particulars of criminal case for his involvement in the year of 2010 in a similar offence. He would also submit that if he is released on bail, he will tamper the witnesses and hamper the investigation and the investigation is not yet completed. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offence committed by the petitioner and according to the prosecution, he is a main person indulging in possession of commercial quantity of contraband and



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almost trial was begin and witnesses also examined, and and on considering the past conduct of the petitioner and the trial was begun and examined 14 witnesses and at this stage, if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, since the accused concerned is in custody for a long period, as a final chance, the trial court is directed to conduct the trial on day-to-day basis without giving unnecessary adjournment complete the trial and dispose the case within a period of three months from the date of receipt of copy of this order.

12.10.2023

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