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Crl.O.P.No. 22441 of 2023

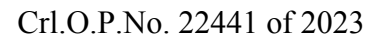
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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 11.03.2022 for the alleged offence under Sections 8(c) r/w 20(b)(ii)(c), 25 & 29(1) of NDPS Act in C.C.No. 187 of 2022 pending on the file of I Addl. Special Judge, Special Court under EC and NDPS Act at Chennai in Crime No.46 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on a secret information, the respondent police intercepted the petitioner along with other accused were found in possession of 230 kgs. of ganja in a Scorpio car and seized the same. Hence, the complaint.

3. The learned counsel for the petitioner submitted that this is the fourth petition seeking for bail and he is in judicial custody from 11.03.2022 for more than 1 year and 8 months. He would submit that there



4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, there are 5 accused involved in this case and the petitioner is arrayed as A4. He would submit that now the trial is in progress and the case is posted for cross-examination of P.W.1 on 24.11.2023 and if he is released on bail, he will tamper the witnesses and hamper the investigation. 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



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committed by the petitioner and the contraband of 230 kgs. of ganja recovered, which is a commercial quantity and now trial was begun and for cross-examination of P.W.1, the case is posted on 24.11.2023, and also considering the fact that 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, the trial court is directed to complete the trial and dispose the case without giving unnecessary adjournment within a period of three months from the date of receipt of copy of this order. Both parties are directed to cooperate with the trial proceedings, since the accused are in custody for more than 1 year 8 months.

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