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Crl.O.P.No.3435 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who was arrested and remanded to judicial custody on 23.12.2021 in C.C.No.123 of 2022 pending on the file of the learned 1st Additional Special Judge for EC and NDPS Act Cases, Chennai, for the alleged offences punishable under Sections 8(c) r/w 22(c), 28, 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, seeks bail.

2. The case of the prosecution is that on 23.12.2021, the accused had illegally transported one kilogram of Methamphetamine in their Toyato Innova car bearing registration No.TN-25-V-1066 and also the respondent has seized another one kilogram of Methamphetamine from the residence of the second accused's relative. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that this is the third application for bail filed by the petitioner before this Court and this Court had dismissed the earlier bail application



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with a direction to complete the trial within a period of eight weeks from the date of receipt of a copy of that order dated 02.11.2023, however, there is no progress in the trial. He further submitted that the petitioner is aged about 71 years and he is suffering incarceration from 23.12.2021. Hence, he prays for grant of bail to the petitioner.

4. Learned Special Public Prosecutor for DRI cases submitted that the petitioner along with the other accused were illegally transported one kilogram of Methamphetamine in their vehicle and further, one kilogram of Methamphetamine was seized from the residence of the accused, which are commercial quantity. He further submitted that the trial is there are five witnesses in this case and the case stands posted for examination of LW5 and there is no change of circumstances. Therefore, he opposed for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Special Public Prosecutor for DRI cases and perused the entire materials available on record.



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6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Special Public Prosecutor for DRI cases that there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

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