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Crl.O.P.No.9741 of 2024

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T.V.THAMILSELVI, J.

The Criminal Original Petition has been filed seeking to enlarge the petitioner on bail in Crime No.4221 of 2021 registered on the file of the Anupparpalayam Police Station, Tiruppur for the offence under Sections 8(c) r/w 20(b)(ii)(C) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 which was later, transferred to the file of the respondent Police in Crime No.16 of 2022.

2. Learned counsel appearing for the petitioner submitted that this is the third application for bail filed by the petitioner and this Court, while dismissing the earlier bail applications, had directed the trial Court to complete the trial in C.C.No.45 of 2022, pending trial on the file of the Special Court for EC &NDPS Act Cases, Coimbatore, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of that order dated 01.12.2023, however, till date, the trial has not been completed. He also



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submitted that the petitioner is suffering incarceration from 16.12.2021 and thereby, he sought for bail for the petitioner on the ground of long incarceration.

3. The respondent has filed a detailed counter.

4. Learned Government Advocate (Crl.Side) appearing for the respondent raised objection for granting bail to the petitioner stating that it is the case where the petitioner (A1) along with other accused was arrested for illegally transporting 340 kgs of Dry Ganja, which comes under commercial quantity. He further submitted that the petitioner is arrayed as A1 and the earlier bail applications filed by the petitioner were dismissed since the petitioner had not satisfied the twin conditions required under Section 37 of NDPS Act. Further, the case has been split up against him in C.C.No.45 of 2022, in which 14 witnesses were examined and the case stands posted on 24.04.2024 for examination of LW14 to LW18, and the prosecution would be able to complete the trial at the earliest, therefore, if the petitioner is released on bail, he will not be available for further proceedings.



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

6. Taking into consideration the above facts and circumstances of the case and the submissions made by the learned Government Advocate (Crl.Side) that the case stands posted for examination of LW14 to LW18 on 24.04.2024, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed. However, the learned trial Judge is directed to complete the trial in C.C.No.45 of 2022, as expeditiously as possible.

23.04.2024

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