



Crl.O.P.No.9727 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 in C.C.No.543 of 2022, pending trial on the file of the learned II Additional Special Judge, Special Court for Exclusive trial of cases under NDPS Act, Chennai in connection with Crime No.143 of 2022 registered for the offence under Sections 8(c), 20(b)(ii)(A) and 22(C) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel appearing for the petitioner submitted that this is the sixth application for bail filed by the petitioner before this Court. He also submitted that the co-accused in this case have been released on bail. He further submitted that the petitioner is in custody from 06.07.2022, whereas, there is no progress in the trial, thereby, he sought for bail for the petitioner on the ground of long incarceration.

3. The respondent has filed a detailed counter.



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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 8 nos. of LSD stamps totally weighting about 130 milligrams, which comes under commercial quantity. He further submitted that the recovery was only made from this petitioner alone and since there was no recovery from the other accused, they have been released on bail. He also submitted that the petitioner is arrayed as A1 in this case, against whom, 5 previous cases including one NDPS Case is pending. He also submitted that this is the sixth application for bail filed by the petitioner and there is no change in circumstances and the prosecution would be able to complete the trial at the earliest, therefore, if the petitioner is released on bail, there is a possibility of him absconding and not available for further proceedings.

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.



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6. Taking into consideration the above facts and circumstances of the case and the submissions made by the learned Government Advocate (Crl.Side) and considering the fact that there is no change in circumstances, this Court is not inclined to grant bail to the petitioner. However, the trial Court is directed to complete the trial, as expeditiously as possible, preferably, within a period of six months from the date of receipt of a copy of this order.

7. Accordingly, this Criminal Original Petition stands dismissed.

23.04.2024

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