



WEB COPY



Crl.O.P. No. 10884 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2024

**CORAM
THE HON'BLE MR. JUSTICE P.DHANABAL**

Crl. O.P. No. 10884 of 2024

Ashok Kumar @ Ashok

... Petitioner / Accused

Vs.

State rep. by
Inspector of Police,
PEW Redhills unit Police,
(Crime No. 153 of 2023)

... Respondent / Complainant

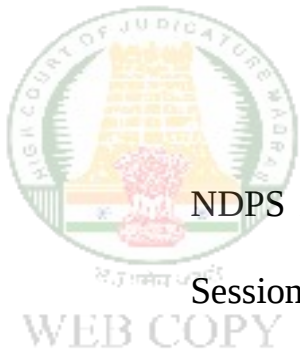
PRAYER: Criminal Original Petition filed under Section 439 of the Criminal Procedure Code, 1973, to enlarge the petitioner on bail pending trial in C.C. No. 694 of 2023 on the file of the I Additional Judge, Special Court for Exclusive trial of cases under NDPS and EC Act Chennai.

For Petitioner : Mr. B.J.Santhosk Kumar

For Respondent : Mr. R.Kishore Kumar
Government Advocate (Criminal Side)

ORDER

The Petitioner who was arrested by the respondent police and remanded to judicial custody on 19.03.2023, seeks bail in Crime No. 153 of 2023 registered for the alleged offences under Section 8(c) r/w 20(b)(ii)(C), 29(1) of



NDPS Act pending in C.C. No. 694 of 2023 on the file of the I Additional Sessions Special Judge, Special Court NDPS and EC Act, Chennai.

2. The case of the prosecution is that petitioner along with another was found in possession of 23.680 kgs of ganga. Hence, the complaint.

3. The learned counsel appearing for the petitioner would contend that the petitioner is an innocent person and he has been falsely implicated in this case and no contraband was seized from him and the case is pending before the I Additional Judge, Special Court for Exclusive trial of cases under NDPS and EC Act, Chennai, in C.C. No. 694 of 2023 and pending for framing of charges. The petitioner will abide by any conditions and also is prepared to furnish sureties and he is under custody for more than 13 months. Thereby, the bail application may be considered in his favour.

4. The learned Government Advocate (Criminal side) appearing for the respondent would contend that the petitioner was found in possession of 23.680 Kgs of ganja, which is a commercial quantity and he also has previous cases and now the cases are posted for examination of witnesses. If the petitioner is let on bail, there is a possibility of him absconding and also



Crl.O.P. No. 10884 of 2024

tampering the evidences and threaten the witnesses. Therefore, he strongly opposed to grant bail to the petitioner.

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

6. Considering the rival submissions and considering the offences charged against the petitioner which are grave in nature and the seized contraband is also a commercial quantity and the petitioner is having previous cases and now the case is also posted for trial, this Court is declined to grant bail to the petitioner at this stage. Considering the pendency of the case, it is appropriate to direct the Trial Court to expedite the trial and conclude the trial as early as possible within a period of six months from the date of receipt of a copy of this order.

7. Accordingly, this Criminal Original Petition is dismissed.

03.07.2024

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No
pal



Crl.O.P. No. 10884 of 2027

To
WEB COPY

1. The I Additional Judge,
Special Court for Exclusive trial of cases
under NDPS and EC Act Chennai.
2. Inspector of Police,
PEW Redhills unit Police,
Chennai.
3. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P. No. 10884 of 2024

P.DHANABAL, J.,

pal

Crl. O.P. No. 10884 of 2024

03.07.2024