

Crl.O.P.No.11324 of 2024

C.V.KARTHIKEYAN, J.

The petitioner / A2 seeks bail in Crime No.216 of 2022 registered by the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(c), 25 and 29(2)(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2.The petitioner was arrested and remanded to judicial custody on 30.04.2022. It is stated that all the three accused, were found in transporting ganja weighing 60 kgs in a Tata Sumo Grand car bearing Registration No.TN-07-BF-2381. A1 was in possession of 30 kgs of ganja, the present petitioner / A2 was in possession of 16 kgs of ganja and A3 was in possession of 14 kgs of ganja. All three of them were travelling in the car and the contraband was seized individually from them. When they were arrested they were inside the car.

3.The earlier petition seeking bail was dismissed on 03.01.2024 in Crl.O.P.No.29267 of 2023. After that date, the prosecution has examined all the prosecution witnesses, but the counsel for the accused had not cross-examined the witnesses and had filed application

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to recall the witnesses. Thereafter, PW-1 has been cross-examined, but further prosecution witnesses have to be cross-examined.

4.If the learned counsel for the accused cross-examines the witnesses whenever they are produced, only then would it be possible for the trial Court to dispose of the matter. It cannot pass judgment without granting opportunity of cross-examination. If the counsel for the accused cross-examines all the witnesses, then, on completion of arguments, within a period of one week judgment should be delivered by the trial Court.

5.Observing as above, this Criminal Original Petition stands dismissed.

11.06.2024

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