



Crl.O.P.No.12886 of 2024



T.V.THAMILSELVI, J.

This Petition has been filed by the petitioner/accused, who was arrested and remanded to judicial custody on 27.10.2023, seeking bail in C.C.No.157 of 2024 pending trial on the file of the I Additional Special Court under EC and NDPS Act Cases, Chennai, in connection with Crime No.659 of 2023 registered for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the investigation in this case has been completed and the final report has also been filed, however, the petitioner has been suffering incarceration from 27.10.2023. He also submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he sought for bail.

3. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner, who hails from the State of Andhra Pradesh, was found to be in illegal possession of 22 kilograms of Ganja, which is a commercial quantity. He further submitted that the charge sheet was filed in this case and it was taken up for trial in C.C.No.157 of 2024 on the file of the I Additional Special Court under EC and NDPS Act Cases, Chennai and the case now stands posted for serving copies. He also submitted that there is no previous case against the petitioner, however, if the petitioner is released on bail at this stage, there is every possibility of him absconding and not available for trial proceedings. Hence, he opposed to grant bail to the petitioner.



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4. Taking into consideration the facts and the submissions made by the learned Government Advocate (Criminal Side) and taking note of the fact that the alleged contraband recovered from the petitioner/sole accused is a commercial quantity and he has not satisfied the twin conditions required under Section 37 of NDPS Act and also considering that the charge sheet was filed in this case and the case was taken up for trial, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, the Criminal Original Petition stands dismissed. However, the learned trial Judge is directed to complete the trial as early as possible, preferably, within a period of three months from the date of receipt of a copy of this order, without giving any unnecessary adjournments.

09.07.2024

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