



Crl.O.P.No. 19970 of 2024

WEB COPY

Crl.O.P.No. 19970 of 2024

T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 17.11.2023 for the alleged offence under Sections 8(c) 22(c) and 25 of NDPS Act, pending trial in C.C.No.339 of 2024 on the file of I Addl. Special Judge for EC and NDPS Cases, Chennai in Crime No. 703 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on a secret information about the sale of narcotic substance near Bharath Petrol Bunk at Anagaputhur Service Road, the respondent police intercepted the petitioner along with a polythene and on search, they found the petitioner said to have in possession of 800 grams of Methamphetamine and 5 kgs. of Amphetamine and seized the contraband. Hence, the complaint was registered against the petitioner.



Crl.O.P.No. 19970 of 2024

WEB COPY

3. The learned counsel for the petitioner submitted that this is the third petition seeking for bail and he is in judicial custody from 17.11.2023 for more than 10 months. He would submit that there is no specific overtact attributed against this petitioner. He would submit that he is a Software Engineer and he has been falsely implicated in this case as if he was in possession of 800 grams of Methamphetamine and 5 kgs. of Amphetamine. He would also submit that one of the item, which was seized by the respondent police is not a narcotic drug. Furthermore, he would submit that the sample was not taken for reanalysis by the prosecution and no previous case pending against him. He would submit that he has taken step to reanalysis the contraband. He would submit that he has not at all committed any offence as alleged by the respondent police and he is no way connected with the occurrence. He would further submit that the investigation is almost completed and for more than 10 months, there is no progress in the trial. Hence, he prayed to grant bail to the petitioner.



Crl.O.P.No. 19970 of 2024

WEB COPY

4. The learned Government Advocate (Crl. side) appearing for respondent would submit that the petitioner was found in possession of 800 grams of Methamphetamine and 5 kgs. of Amphetamine and the same is a commercial quantity and he is arrayed as sole accused. He would submit that since the petition was filed by the petitioner for reanalysis the contraband, there is no progress in the trial. He would submit that the investigation was completed and charge sheet was filed in C.C.No. 339 of 2024 on the file of I Addl. Special Judge for EC & NDPS Cases, Chennai. He would submit that at this stage, if he is released on bail, he will tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offence committed by the petitioner and the fact that 800 grams of Methamphetamine and 5 kgs. of Amphetamine was recovered, which is a commercial quantity and the investigation was completed and charge sheet



Crl.O.P.No. 19970 of 2024

WEB COPY

was filed in C.C.No. 339 of 2024 on the file of I Addl. Special Judge for EC & NDPS Cases, Chennai and the fact that his telephonic conversation would proves that he is involved in transportation of ganja and it is a matter for trial and the petitioner can very take all defence before the trial court and at this stage if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation and also the fact that there is no change of circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, the trial court is directed to expedite the trial and dispose the case within a period of three months from the date of receipt of copy of this order and the petitioner is directed to cooperate with the trial proceedings.

26.09.2024

rpp



WEB COPY



Crl.O.P.No. 19970 of 2024

T.V.THAMILSELVI, J.

rpp

Crl.O.P.No. 19970 of 2024

26.09.2024