



Crl.O.P.No.20873 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 11.06.2022 for the offences under Sections 8(C) r/w Section 22(C), 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.105 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 11.06.2022 at about 12.20 hours, the Sub Inspector of Police received the secret information and went to the scene of occurrence, and they found the petitioner along with other accused in possession of 21 numbers of MDMA-Ecstasy Tablets weighing 10.15 grams. Hence the case.

3. Learned counsel appearing for the petitioner submitted that this is the third bail application filed by the petitioner and the earlier bail application in Crl.OP.No.10270 of 2023 was dismissed on 26.07.2023. He further submits that no contraband was seized from the petitioner. He further submits that the petitioner has been languishing in jail from



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11.06.2022, for more than 2 years and thereby he seeks for grant of bail to the petitioner.

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4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner along with other accused was found in possession 21 numbers of MDMA-Ecstasy Tablets weighing 10.15 grams, which is a commercial quantity. He would further submitted that the delay in the trial is not on the part of the prosecution. Since the petitioner has not engaged the counsel till date before the concerned Court, the trial could not proceed further. Therefore, he opposed granting bail to the petitioner.

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.

6. This Court finding that the petitioner has not satisfied the mandatory condition required under Section 37 of NDPS Act for the



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grant of bail has dismissed the earlier bail application by a detailed order dated 26.07.2023. The learned Government Advocate has also submitted that the petitioner has not engaged the counsel till date before the concerned Court to conduct the trial, and thereby the prosecution cannot be held responsible for the delay in the trial. Therefore, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed. However, the learned trial Judge is directed to complete the trial as expeditiously as possible, preferably, within a period of six months from the date of receipt of copy of this order.

07.11.2024

drl

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