



CrI.O.P.No. 24769 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 14.02.2020 for the alleged offence under Sections 8(c) r/w 22(c), 28 and 29 of NDPS Act, pending trial in C.C.No.91 of 2020 on the file of I Addl. Special Judge, Special Court for NDPS and EC Act Cases, Chennai in NCB. F.No.48/1/03/20-NCB/MDS on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on a secret information about the illegal transportation of ganja, the respondent police along with his team intercepted the petitioner and on search, the petitioner along with other accused found in possession of 5 kgs. of Ice Methamphetamine white crystal powder illegally and seized the same. Hence, the complaint.

3. The learned counsel for the petitioner submitted that this is the second petition seeking for bail and he is in judicial custody for more than



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2 years eight months, but there is no progress in the trial. He would submit that there is no recovery from this petitioner and he is an innocent person and he is no way connected with the case. He would submit that he has not at all committed any offence as alleged by the respondent police and he was not present at the scene of occurrence. He would submit that the investigation is almost completed and he would abide by any condition that may be imposed by this court and no previous case pending against him. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally 5 kgs. of Ice Methamphetamine white crystal power was recovered from the accused persons. He would submit that the petitioner is arrayed as A1 in this case and co-accused was released on bail. He would submit that now the trial was begun and totally 12 witnesses examined in this case and now the case is at the stage of 313 questioning. He would submit that if he is released on bail, he would tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant bail to the petitioner.



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5. Considering the facts and circumstances of the case and the submissions made by both counsel, considering the gravity of offence committed by the petitioner, during the house search, he along with other accused were found to be in possession of 5 kgs. of Ice Methamphetamine white crystal powder and the fact that already all the witnesses were examined and now the case is posted at the stage of 313 questioning and at this stage if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation and 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 complete the trial and dispose the case within a period of three months from the date of receipt of copy of this order.

18.10.2024

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