



Crl.O.P.No.28379 of 2024

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P.DHANABAL, J.

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 29.06.2024, seeking bail in Crime No.138 of 2024, registered for the offence punishable under Section 20(b)(ii)(A), 20(C) r/w 8(c) of NDPS Act, 1985.

2. The case of the prosecution is that on 28.06.2024 at 19 hours, based on the secret information that two male persons are selling some banned narcotic drugs to youths, school and college students near auto stand, Jipmer, Gorimedu, Puducherry and accordingly, they conducted raid and found A1 in illegal possession of 200 grams of dried Green Ganja, 16 blots of Multi coloured designed papers believed to be LSD and A2 in illegal possession of 180 grams of Hashish oil worth about Rs.50,000/- and based on the confession statement of A1, seized 1600 blots of multi coloured designed papers believed to be LSD worth about Rs.24 lakhs from A4 and A5, who had come from Bangalore for the sale of the narcotic drugs to A1 and A2. Hence the case.



CrI.O.P.No.28379 of 2024

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3. Learned counsel appearing for the petitioner submitted that this is the second bail petition filed by the petitioner. He further submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He has not committed any offence as alleged in the FIR. He has not present at the time of occurrence, that no previous case is pending against the petitioner. He further submitted that the petitioner is in custody from 29.06.2024 and the petitioner is ready to abide by any stringent conditions that may be imposed by this Court.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police raised an objection stating that the petitioner, along with other accused, had illegally possessed 200 grams of dried ganja for the purpose of selling and based on the confession statement of A1, 1600 blots of multi coloured designed papers believed to be LSD worth about Rs.24 lakhs was recovered from A4 and A5. He further submitted that this petitioner is in possession of 180 grams of Hashish oil (Ganja oil), worth about Rs.50,000/- which is a commercial quantity. He further submitted



Crl.O.P.No.28379 of 2024

WEB COPY

that no previous case is pending against the petitioner. He further submitted that the investigation was completed and the charge sheet was filed and now the case is taken on file in Spl.S.C.No.13 of 2024 pending on the file of III Additional District Judge, Puducherry.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and also perused the materials available on record.

6. Considering the representation made by both side counsel, grave nature of offence and the quantity of contraband involved is a commercial quantity, no previous case pending against the petitioner, after completion of investigation, the case was numbered as Spl.S.C.No.13 of 2024 and now the case is posted for trial and already this court dismissed the earlier bail application and there is no change of circumstances, therefore at this stage, it is not appropriate to consider the bail application of the petitioner. Hence, this Criminal Original Petition stands dismissed.



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CrI.O.P.No.28379 of 2024



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Crl.O.P.No.28379 of 2024

P.DHANABAL, J.

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7. Since the case is pending for a long time, it is appropriate to direct the Trial Judge to complete the trial as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order.

27.11.2024

drl

Crl.O.P.No.28379 of 2024