



CrI.O.P.No.28884 of 2024

CrI.O.P.No.28884 of 2024

P.DHANABAL, J.

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 11.07.2024, seeking bail in Crime No.212 of 2024, registered for the offence punishable under Sections 8(c) r/w 20(b)(ii)(C), 29(1) and 25 of NDPS Act.

2. The case of the prosecution is that on receipt of the secret information about illegal sale of Ganja, the respondent and his team went to the Guduvanchery Railway Station, where, they found that the accused were in illegal possession of 50 kgs of ganja with the help of the four wheeler bearing Registration No.AP 05 BS 4959. Therefore, the respondent police stopped the vehicle and apprehended the accused persons. Hence the case.

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



Crl.O.P.No.28884 of 2024

WEB COPY

further submitted that the petitioner is in custody from 11.07.2024 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 there are two accused in this case and the petitioner herein is ranked as A2. He further submitted that the petitioner along with other accused were found to be in illegal possession of 50 kgs of ganja, which is a commercial quantity. He further submitted that investigation was completed and the charge sheet was also filed before the learned First Additional Special Court for Exclusive Trial of Cases under NDPS Act in CC.No.857 of 2024 and the next date of hearing is posted on 02.12.2024 for engaging counsel. Hence, he opposed to grant bail to the petitioner.

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



WEB COPY



CrI.O.P.No.28884 of 2024

6. Considering the grave nature of offence and the quantity of contraband involved is a commercial quantity, though investigation was completed and the charge sheet was also filed, no trial has been taken place 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.

7. However, 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



WEB COPY



Crl.O.P.No.28884 of 2024

P.DHANABAL, J.

drl

Crl.O.P.No.28884 of 2024

27.11.2024