



Crl.OP.No.8956 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 26.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.8956 of 2025

A.Basil Zaman

.. Petitioner

Vs.

State of Tamilnadu represented by
Inspector of Police,
Masinagudi P.S
Nilgiris District.
(Crime No.164 of 2023)

.. Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail pending in trial in Crime No.164 of 2023 in C.C.No.17 of 2024 on the Additional District Judge for EC and NDPS Act Cases, Coimbatore.

For Petitioner : M/s.K.Sakthivel

For Respondent : M/s.J.R.Archana
Government Advocate(Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who



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was arrested and remanded to judicial custody on 27.10.2023, seeking bail in Crime No.164 of 2023 in C.C.No.17 of 2024 registered for the offence under Sections 8(c) r/w 21(c), 23(c), 25 and 29(i) of NDPS Ac.

2. The case of the prosecution is that on 26.10.2023, based on secret information, at about 20.30 hours, the respondent police went to the place of occurrence and found that the petitioner along with other accused persons were in illegal possession of 120 grams of Methamphetamine. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and that the petitioner only travelled in a Car and the contraband was seized from the co-accused; that considering the period of incarceration, the petitioner may be released on bail.

4. The learned Government Advocate (CrI.Side) opposed for grant of bail to the petitioner stating that the trial has now commenced, and the



case is posted for examination of witnesses and is likely to be completed very soon; that the petitioner and other accused were in joint possession of 120 grams of Methamphetamine, which is commercial quantity.

5. This is the third bail application filed by the petitioner. The earlier bail application was dismissed by the Hon'ble Justice T.V.Thamilselvi in Crl.O.P.No.7479 of 2024, dated 26.06.2024 by making following observations:

“On seeing commercial quantity involved, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.”

6. Considering the aforesaid facts and since the contraband seized is commercial quantity and the petitioner has not satisfied the twin conditions imposed under Section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioner and accordingly, this criminal original petition is dismissed. However, the petitioner cannot be detained for an indefinite period during the trial. Hence, this Court is inclined to direct the



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Trial Court to complete the trial as expeditiously as possible. If the trial is not completed within a period of three (3) months, the petitioner is at liberty to renew the bail application before the trial Court.

7. With the above directions, this Criminal Original Petition is dismissed.

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Index : Yes / No
Internet : Yes / No
dpa

To

1. Inspector of Police,
Masinagudi P.S
Nilgiris District.

2. The learned Special Principal District and Session Judge
for EC and NDPS Act Cases,
Coimbatore.

3. The Superintendent of Prison,
Central Prison, Coimbatore.

4. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN , J.

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