



Crl.OP.No.6677 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 17.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6677 of 2025

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...Petitioner

Vs.

The State rep by
The Inspector of Police,
NIB-CID Police Station
Salem District.
(Crime No.35 of 2020)

.. Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.35 of 2020 pending investigation on the file of the respondent police.

For Petitioner : M/s.C.Deepak Kumar

For Respondent : Mr.S.Santhosh
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 01.02.2023, seeking bail in Crime No.35 of 2020 registered for the offence under Sections 8(c) r/w 20(b)(ii)(C) of NDPS Act.

2. This is the fifth anticipatory bail application filed by the petitioner. The earlier bail application was dismissed by this Court in Crl.O.P.No.27518 of 2024, dated 14.11.2024, by making the following observations:

“5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offence committed by the petitioner and the contraband of 150 kgs. of ganja recovered, which is a commercial quantity and according to the prosecution, when the respondent police intercepted them, this petitioner escaped from the place of occurrence and thereafter, he was arrested and also considering the fact that one more case registered against him under NDPS Act and at this stage if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation and also the fact 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, as pointed out by the learned Government Advocate that there is no Presiding Officer to conduct the case, the incharge Presiding Officer is directed to give some more importance to the case, where the accused are in custody for long days by examining witnesses 1 or 2 on the date of attending court, since the accused are in custody for more than one year



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eight months and complete the trial and dispose the case as early as possible.”

3.Though the earlier anticipatory bail petition of the petitioner was dismissed by my learned predecessor, Hon'ble Justice T.V.Thamilselvi, this petition is listed before this Court pursuant to the orders passed by the Hon'ble Division Bench of this Court in Crl.O.P.No.31787 of 2024 on 04.03.2025.

4.The learned counsel appearing for the petitioner submitted that, since there is no progress in the Trial and considering the period of incarceration, the petitioner may be released on bail.

5.Per contra, the learned Government Advocate (Crl. Side), on instructions submitted that the Trial has now commenced and that a Non-Bailable Warrant has been issued against the absconding accused.

6. Considering the aforesaid facts, this Court is not inclined to entertain this bail application. Accordingly, this bail application stands dismissed. The respondents are directed to take steps against the absconding



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accused and the trial Court shall proceed with the trial and conclude it as expeditiously as possible.

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Index : Yes / No
Internet : Yes / No
dpa

To

1.The Inspector of Police,
NIB-CID Police Station
Salem District.

2.The Judicial Magistrate No-I, Salem.

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

4.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN , J.



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