



WEB COPY

Crl.O.P.No.5505 & 5508 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.Nos.5505 & 5508 of 2025

Kimudu Krupavathi

...Petitioner/Accused-4
in Crl.O.P. No.5505 of 2025

Butaru Saroja

...Petitioner/Accused-3
in Crl.O.P. No.5505 of 2025

Vs.

Union of India Through
Jr.Intelligence Officer,
Narcotic Control Bureau,
Chennai -77.
(NCB.F.No.48/1/14/2022-NCB/MDS)

. . . Respondent in both Crl.O.Ps.

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Spl.C.C.No.238 of 2023 on the file of the learned Special Judge for Exclusive Trial of Cases under NDPS Act, Salem.



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For Petitioners : Mr.H.Muruthiraj in both Crl.O.Ps
For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)
in both Crl.O.Ps.

COMMON ORDER

The petitioners, who are facing trial for the offence under Sections 8(c) r/w 20(b)(ii)(c), 28 and 29 of NDPS Act, 1985 in Spl.SC.No.238 of 2023 on the file of the learned Special Judge for Exclusive Trial of Cases under NDPS Act, Salem and remanded to judicial custody on 18.11.2022, seeks bail.

2.It is the case of the prosecution that the petitioners along with other accused were found in possession of 243 kgs of Ganja packets. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and that they have been arrested on 18.11.2022 and the trial is yet to commence, considering the period of incarceration, the petitioners may be released on bail.



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4. Per contra, the learned Government Advocate (Crl. Side) has filed a counter affidavit and submitted that the summons for the witnesses have been sent and trial will be concluded in the near future and further submitted that considering the gravity of the offence, the petitioners may not be released on bail.

5. Though the petitioners were arrested on 18.11.2022, considering the submissions made by the learned Government Advocate (Crl.Side), that the trial has commenced and will be concluded in the near future, this Court is not inclined to grant bail at this stage. At the same time, the petitioner cannot be detained for an indefinite period because of the delay in conclusion of the trial. Therefore, this Court is of the view that the Trial Court can be directed to expedite the trial. If the trial is not concluded within a period of six months, the petitioner is at liberty to renew the bail application.



SUNDER MOHAN, J.

rkp

WEB COPY 6. With the above observations, these Criminal Original Petitions are disposed of.

19.03.2025

rkp

To

1. Union of India Through
Jr.Intelligence Officer,
Narcotic Control Bureau,
Chennai -77.

2. The Special Judge for Exclusive Trial of Cases under NDPS Act,
Salem.

3. The Public Prosecutor, Madras High Court, Madras.

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