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Crl.O.P. No.7229 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No. 7229 of 2025

C. Eswaran

... Petitioner/ Sole Accused

Vs.

Union of India,
Rep. by Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit,
Chennai.

... Respondent/ Complainant

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in
connection with C.C. No.74 of 2020, on the file of the II Additional Special
Judge for NDPS Act Cases, Chennai.

For Petitioner : Mr. S. Jayaprakash

For Respondent : Mr. N.P. Kumar
Special Public Prosecutor



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ORDER

This is the seventh bail application filed by the petitioner, who was arrested and remanded to judicial custody on 18.12.2019 for the alleged offence under Sections 8(c) r/w. 20(b)(ii)(c), 25, 27A, 28, 29 and 31 of NDPS Act, pending trial in C.C. No.74 of 2020 on the file of the II Additional Special Judge for NDPS Act Cases, Chennai.

2. The sixth bail application of the petitioner in Crl.O.P.No.22168 of 2024 was dismissed by the Hon'ble Justice T.V.Thamilselvi, vide order dated 26.09.2024, by making following direction:

"7. The Trial Court is directed to complete the trial within a period of four months from the date of receipt of a copy of this order and both the parties are directed to co-operate for speedy disposal of the trial."

3. The learned counsel for the petitioner submitted that the prosecution had examined all the witnesses; that the petitioner had filed petition to recall the witnesses for cross-examination; that the prosecution had



only produced three witnesses and they have been examined; that the prosecution had not produced the other two witnesses; that the petitioner has been in judicial custody since 18.12.2019; and that the petitioner undertakes to co-operate for the trial and prayed for bail to the petitioner.

4. Per contra, the Special Public Prosecutor appearing for the respondent submitted that the prosecution had examined all the witnesses and the accused was questioned under Section 313 of Cr.P.C; that the petitioner had so far cross examined three witnesses and two more witnesses have to be cross examined; and that the trial will be concluded in the near future and opposed the grant of bail to the petitioner.

5. Considering the aforesaid facts and submissions made on both sides, this Court is not inclined to grant bail to the petitioner at this stage. However, in the interest of justice, it would be desirable to direct the Trial Court to conclude the trial as expeditiously as possible. If the trial is not concluded within three months, the petitioner is at liberty to renew his bail application, with a caveat that, if the delay is caused by the petitioner, he would not be entitled to any relief.



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SUNDER MOHAN, J.

stn

6. Accordingly, this Criminal Original Petition is disposed of.

21.03.2025

stn

To

1. The II Additional Special Judge for NDPS Cases,
Chennai.
2. Union of India,
Rep. by Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit, Chennai.

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