



Crl.O.P. No.7878 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.7878 of 2025

Muneer Kattilpuram

... Petitioner/ Accused No.1

Vs.

The State Represented by,
The Inspector of Police,
Masinagudi Police Station,
Nilgiris District.
Crime No.164 of 2023.

... 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.17 of 2024, on the file of the Additional District Judge/ Presiding Officer, Special Court for Essential Commodities Act, Coimbatore District.

For Petitioner : Mr. C.D. Sugumar

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



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ORDER

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This is the second bail application filed by the petitioner, who was arrested and remanded to judicial custody on 27.10.2023 in Crime No.164 of 2023, for the alleged offence punishable under Sections 8(c) r/w. 22(c), 25 and 29(1) of NDPS Act, 1985, pending trial in C.C. No.17 of 2024 on the file of the Additional District Judge/ Presiding Officer, Special Court for Essential Commodities Act, Coimbatore District.

2. The earlier bail application of the petitioner in Crl.O.P.No.17533 of 2024 was dismissed by the Hon'ble Justice T.V.Thamilselvi, vide order dated 30.07.2024, by making following direction:

"6. ...However, the Trial Judge is directed to complete the trial as expeditiously as possible, preferable within a period of four months, finally from the date of receipt of a copy of this order."

3. The learned counsel for the petitioner would submit that while dismissing the earlier bail application of the petitioner, this Court directed the Trial Judge to complete the trial within four months, however, the prosecution is yet to examine the witnesses; that the Presiding Officer of the Trial Court



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concerned has retired and no Presiding Officer is posted yet, hence the trial is not likely to be completed in near future; that the co-accused/ A3 and A4 were granted bail by this Court, vide order dated 23.01.2025 in Crl.O.P.Nos.207 and 208 of 2025; that the petitioner has been in judicial custody since 27.10.2023; and that the petitioner undertakes to co-operate for the trial and prayed for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that several witnesses in this case have been dispensed with and the case is posted for examination of the Investigation Officer; and that the trial will be concluded in the near future and opposed for 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 expedite and conclude the trial within a period of four months. Further, if the trial is not concluded within four months, the petitioner is at liberty to renew his bail application after four months. However, 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 Additional District Judge/ Presiding Officer,
Special Court for Essential Commodities Act,
Coimbatore District.
2. The Inspector of Police,
Masinagudi Police Station,
Nilgiris District.
Crime No.164 of 2023.

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