



Crl.OP.No.7718 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 27.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7718 of 2025

Navin Kennedy J

.. Petitioner

Vs.

The Ste Rep by
The Inspector,
Narcotics Control Bureau Chennai Zonal Unit,
No,49, Fd-2, II Main Road, III Avenue, TNHB Lay Out,
Ayyapakkam, Chennai – 600 077.
(C.CNo.676 of 2024)

.. Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail pending in investigation in C.C.No.676/2024 on the file of Hon'ble Principal Spl.Judge for EC & NDPS Act Cases at Chennai.

For Petitioner : M/s.S.Nirmal Aditya

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

ORDER

This is the 2nd bail application filed by the petitioner.



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2. This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 23.02.2024, seeking bail in C.C.No.676 of 2024 registered for the offence under Sections 8(c) r/w 22(c), 23(c), 25, 27(A), 28 & 29 of NDPS Act.

3. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 500 Nos. of MDMA, 16.4 grams of Mephedrone and 06 grams of Amphetamine.

4. The learned counsel for the petitioner would submit that the respondents have not followed mandatory provisions under NDPS Act during the search and seizure; that the petitioner has no bad antecedents; and that, considering the period of incarceration, the petitioner may be released on bail.

5. The learned Government Advocate (Crl.Side) opposed for grant of bail to the petitioner stating that the petitioner and other accused were in



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possession of 500 Nos. of MDMA, 16.4 grams of Mephedrone and 06 grams of Amphetamine, which is of commercial quantity; and that the trial has now commenced, and is likely to be completed within a period of six months.

6. Considering the aforesaid facts and since the contraband seized was a 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 at this stage 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 Trial Court to complete the trial as expeditiously as possible. If the trial is not completed within a period of six (6) 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



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Internet : Yes / No

dpa

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To

1.The Inspector,
Narcotics Control Bureau Chennai Zonal Unit,
No,49, Fd-2, II Main Road, III Avenue, TNHB Lay Out,
Ayyapakkam, Chennai – 600 077.

2.The Principal Special Court under EC and NDPS,
Chennai

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

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN , J.

dpa

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