



WEB COPY



Crl.O.P.No.11384 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.11384 of 2025

Uzoigwe Joseph @ Emmanuel ... Petitioner

Vs.

The Union of India Rep. by
Jr.Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit,
Chennai – 600 077.
(F.No.48/1/04/2023-NCB/MDS)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
F.No.48/1/04/2023-NCB/MDS pending on the file of the respondent.

For Petitioner : Mr.M.G.Martinmanivannan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 15.05.2023, for the offence punishable under Sections 8(c) read with
Section 21(C), 23(c), 28 & 29 of NDPS Act, 1985 in F.No.48/1/04/2023-
NCB/MDS, registered on the file of the respondent, seeks bail.



CrI.O.P.No.11384 of 2025

2. The allegation against the petitioner is that the petitioner is ranked as A2 and based on specific information, NCB has effected seizure of 1.530 kgs cocaine at International Arrival of Anna International Airport, Chennai on 11.05.2023. Based on the enquiry, it was revealed that this petitioner is a foreign national and he is a part of international syndicate. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is in custody for 2 ½ years and there is no progress in the trial and hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (CrI. Side) submitted that, petitioner has also involved in one other previous case, however, by using other name he has involved in other case. He further submitted that, in this case, petitioner is ranked as A2 and further submitted that, A1 in this case is not co-operating with the trial and already PW1 was examined and trial proceedings is going on. Hence, he opposed for grant of bail to the petitioner.



CrI.O.P.No.11384 of 2025

WEB COPY

5. I have called for report from the trial Court regarding the status of the case and also for his co-operation for the trial. On perusal of the report, it revealed that, in the year July 2024 itself, charges were framed, however A1 has informed change of counsel and only during July 2025, his new Counsel filed vakalat and PW1 was examined in chief and partly cross examined by A1 and thereafter, counsel for the petitioner was not present and further, for three hearings, PW1 has not turned up and the case is pending for examination of PW1.

6. Though, it is stated that, A1 is not cooperating with the trial and the petitioner is co-operating with the trial, since it is a case of commercial quantity, and the petitioner is alleged to be a member of international syndicate, if bail is granted to the petitioner, there is a likelihood that the petitioner will abscond and the trial will be stalled. Hence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

29.10.2025

sma

3/4



WEB COPY



Crl.O.P.No.11384 of 2025

K.RAJASEKAR, J.

sma

To

1.Jr.Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit,
Chennai – 600 077.

2.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.11384 of 2025

29.10.2025