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Crl.O.P.No.19817 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.19817 of 2025

Saleem

... Petitioner

Vs.

State represented by,
The Inspector of Police,
PEW Gummudipoondi Police Station.

... Respondent

PRAYER : Criminal Original Petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in C.C.No.395 of 2025 on the file of the Ist Additional Special Court for Excl. trial of cases under EC & NDPS Act.

For Petitioner : Mr.M.Dhanraj

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.11.2024 in C.C.No.395 of 2025 on the file of the Ist Additional Special Court for exclusive trial of cases under EC & NDPS Act, in connection with Crime No.304 of 2024 registered for the offences



under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeks bail.

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2. The case of the prosecution is that the accused were found to be in illegal possession of 40 kilograms of Ganja, which is a commercial quantity. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is arrayed as A5 and the investigation in this case has been completed and taken up for trial in C.C.No.395 of 2025. He also submitted that the petitioner is suffering incarceration from 14.11.202, hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for the grant of bail to the petitioner stating that the contraband seized from the accused is a commercial quantity and further, the case has also been taken up for trial. Therefore, if he is released on bail, there is a possibility



of him absconding and not available for trial. He also submitted that the petitioner has also filed another bail petition in Crl.O.P.No.7854 of 2025 in respect of the same crime number and it is also pending before this Court.

5. Heard both sides and perused the materials available on record.

6. Considering the above facts and circumstances of the case and taking note of the facts that the case has been taken up for trial, the petitioner has failed to fulfill the twin conditions required under Section 37 of the NDPS Act and that he has filed the present petition suppressing the earlier petition, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

14.07.2025

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G.K.ILANTHIRAIYAN, J.

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To

1. The Ist Additional Special Court for Excl.
trial of cases under EC & NDPS Act.
2. The Inspector of Police,
PEW Gummudipoondi Police Station.
3. The Public Prosecutor,
High Court, Madras.

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