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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2025

CORAM

**THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**CRL OP NO.22029 of 2025**

Saimon Debbarma

Petitioner

Vs

The State Represented by

The Inspector of Police,  
PEW Tambaram Unit Police Station,  
Crime No.272 of 2023.

Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in C.C. No.75 of 2024 on the file of the II Additional Special Court for Exclusive trial of cases under NDPS Act, Chennai, in Crime No.272 of 2023 on the file of the respondent police.

**For Petitioner:** Mr.S.Senthilvel

**For Respondent:** Mr.A.Gopinath  
Government Advocate (Crl.side)

### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 11.07.2023 for the alleged offence punishable under Section 8©, 20(b)

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(ii)(C) & 29(1) of NDPS Act, in Crime No.272 of 2023, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that, the petitioner joined hands with other accused was found in possession of 30 kgs of ganja (commercial quantity) which was seized from the petitioner herein. Hence the petitioner was arrested and has been remanded to judicial custody.

3. This is the successive bail application. After dismissal of the earlier bail applications, this Court called for a report from the Trial Court regarding the stage of the Trial and report which reveals that two other accused involved in this case, who had been granted bail, have absconded and NBWs are pending against them. It is also reported that the trial has not progressed.

4. On perusal of the records and other connected materials, it is seen that the petitioner is ranked as A1 and he is in judicial custody since 11.07.2023. It is alleged that 30 kgs of ganja was recovered from the petitioner. Though it is contended by the learned counsel for the petitioner that Section 50 of the NDPS Act has been violated and that the seizure was only from the petitioner's bag, this Court finds that



Section 50 of the NDPS Act is not applicable to the facts of the present case and therefore no violation arises in this case.

5. Considering the above facts and circumstances of the case, the petitioner is in judicial custody from 11.07.2023 and the trial has not progressed due to the abscondence of the co-accused, this Court is of the view that the continuous incarceration of the petitioner warrants appropriate directions.

6. Accordingly, the trial Court is directed to expedite the trial process by assessing the feasibility of splitting up the case as against the petitioner and to proceed with the same as early as possible.

7. With the above said observation, this Criminal Original Petition is disposed of.

**04.12.2025**

*drl*

**To**

1.The Inspector of Police,  
Mathur Police Station,  
Krishnagiri.

2.The Public Prosecutor,  
High Court, Madras.

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**K.RAJASEKAR, J.,**

drl

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