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Crl.O.P.No.25328 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.25328 of 2025

Piyarul Sheik

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Avinashi Police Station,
Tiruppur District.
(Crime No.117 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in C.C.No.67 of 2024 pending on the file of the learned Additional District Judge/ Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore in connections with Crime No.117 of 2024 on the file of the respondent police.

For Petitioner(s) : No Appearance

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 06.03.2024 in C.C.No.67 of 2024 pending on the file of the learned Additional District Judge/ Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore, for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) and 29(1) of NDPS Act, 1985 in Crime No.117 of 2024, registered on the file of the respondent police, seeks bail. The earlier bail application of the petitioner was dismissed by this Court, vide order dated 07.04.2025 in Crl.O.P.No.5244 of 2025 for the reasons and observations as follows:

"Admittedly, the petitioner is in custody from 06.03.2024. 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 with a period of four(4) months, the petitioner is at liberty to renew the bail application before the trial Court."

2. Since the trial has not concluded within the period prescribed by this Court, the petitioner filed a bail petition in C.M.P.No.1702 of 2025 before the learned Additional District Judge/ Presiding Officer, Special Court



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for Essential Commodities Act Cases, Coimbatore and the same was dismissed vide order dated 12.08.2025, hence the petitioner has come forward with the present bail petition.

3. Today, when the matter is taken up for hearing, there is no representation for the petitioner. Heard the learned Government Advocate (Crl. Side) appearing for the respondent.

4. Considering the submission made by the learned Government Advocate (Crl. Side) and on perusal of the report received from the Trial Court regarding the stage of the case after dismissal of the earlier bail application of the petitioner in Crl.O.P.No.5244 of 2025, wherein it is stated that there are totally 25 witnesses have been cited by the prosecution and so far four witnesses were examined by the prosecution and the accused have not come forward to cross examine those witnesses; that further no counsels were appeared on behalf of the accused, hence the Trial Court addressed the District Legal Services Authority, Coimbatore for engaging counsel to conduct case on behalf of the accused; and that the case stands adjourned to 06.11.2025.



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K. RAJASEKAR, J.

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5. Considering the facts of the case, the report received from the Trial Court stating non-cooperation of the petitioner and other accused in the trial proceedings and the contraband seized from the petitioner is of commercial quantity, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this criminal original petition stands dismissed.

27.10.2025

stn

To

1. The Inspector of Police,
Avinashi Police Station,
Tiruppur District.
(Crime No.117 of 2024)
2. The Public Prosecutor,
High Court of Madras.

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