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Crl.O.P.No.29841 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 29841 of 2024

M.Nanda Kumar

Petitioner(s)

Vs

Union of India rep. By
The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
Chennai Zonal Unit,
72 GN Chetty Road,
T.Nagar, Chennai-600 017

Respondent(s)

For Petitioner(s):

Mr.R.C.Paul Kanagaraj

For Respondent(s):

Mr.N.P.Kumar
Special Public Prosecutor for DRI

ORDER

Petition seeking bail in connection with C.C.No.123 of 2022 pending on the file of the learned I Additional Special Judge for EC & NDPS Cases, Chennai, in connection with F.No.DRI/CZU/VIII/48/ENQ-1/INT-20/2021, registered for the offences punishable under Sections 8(c) r/w



Section 22(c), 28 and 29 of NDPS Act, is on board for consideration.

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2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He would submit that earlier, the petitioner herein filed a bail application in Crl.O.P.No.6962 of 2023, and this Court dismissed the same on 12.06.2023. While dismissing, this Court directed the trial Court to complete the trial expeditiously within a period of 6 months. Despite the same, the trial has not been completed, thereby, the learned counsel for the petitioner seeks bail on account of suffering a long period of incarceration.

3. The learned Special Public Prosecutor appearing for the respondent police, per contra, submitted that it is a case where 2 Kg of Methamphetamine was seized, which is a commercial quantity. He submitted that though this Court had directed the trial Court to complete the trial within 6 months, due to the fact that there is no Presiding Officer, there is no progress in this case. He further submitted that out of 14 list witnesses, the respondent has examined P.W.1 to P.W.9 and only two more witnesses have to be examined. He also submitted that the respondent is ready to



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proceed with the trial and only due to the non availability of the Presiding Officer, there is delay and as and when the Presiding Officer is appointed, they are ready to get along with the trial.

4. This Court is of the opinion that since majority of the witnesses have to be examined and the delay cannot be attributed to the prosecution, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition stand dismissed.

22.01.2025

Anu

To
1. The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
Chennai Zonal Unit,
72 GN Chetty Road,
T.Nagar, Chennai-600 017
2.The Public Prosecutor
Madras High Court

A.D.JAGADISH CHANDIRA, J.



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Anu

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