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CRL OP No. 26088 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 26088 of 2025

1. Bruce Henri Van Laun
S/o. Anthony Van Laun, Plot No.215,
Kameeldrift West, pretoria, South
Africa.

Petitioner(s)

Vs

1. union of India,
Represented by its Intelligence office,
Narcotics Control Bureau, Chennai
Zonal Unit, Chennai.

Respondent(s)

PRAYER

To enlarge the petitioner / Accused 1 on bail in CC.No.277/2024 on the file of the Principal Special Judge for EC and NDPS Act Case at Chennai. may be pleased to enlarge the petitioners on bail pass order on such terms and conditions as this Hon'ble Court may deem fit and proper in the circumstances of the case.



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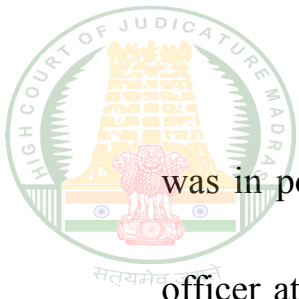
For Petitioner(s): S.Kasirajan
P.Ananda Kumar
C.Mahes Kumar
S.Ramesh
M.Saravana
M.Manoharan

For Respondent(s): N.P.Kumar Special Public
Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.11.2022 for the alleged offence under Sections 8(c) r/w. 22(c), 23(c), 28 and 29 of NDPS Act, 1985 in NCB.F.No.48/1/15/2022-NCB/MDS on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on specific information, the officers of Narcotics Control Bureau, Chennai Zonal Unit seized 2 kg of Cocaine from a black coloured trolley suitcase belonging to one South African National named Bruce Henri Van Laun on 29.11.2022 at Arrival Hall, Anna International Airport, Chennai. Thereafter, summons dated 29.11.2022 under section 67 of the NDPS Act, 1985 was served upon Bruce Henri Van Laun who



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was in possession of the seized 2 kgs of Cocaine and appear before the NCB officer at NCB, Chennai office in connection with seizure of 2 kgs of cocaine from his possession. In light of the information of the possible Chennai based receiver of the seized contraband revealed by Bruce Henri Van Laun, the NCB team and Bruce Henri Van Laun proceeded to Hotel Joyce, Chennai where the room was booked for him for the purpose of delivered the seized contraband, in order to attempt to intercept the said receiver. At Hotel Joyce, Bruce Henri Van Laun recorded his voluntary statement under section 67 of the NDPS Act, 1985 dated 29.11.2022 and continuing on to 30.11.2022. Based on the incriminating revelations in his statement and the contraband seized on 29.11.2022 at Arrival Hall, Anna International Airport, Chennai from his possession, Bruce Henri Van Laun was placed under arrest on 30.11.2022 at 1721 hours. He was produced before the Hon'ble Magistrate, Alandur and remanded to Judicial custody on 01.12.2022.

3. On the basis of the statement recorded from the petitioner herein, it is further revealed that some more accused are involved in this case and those are awaiting for receiving and collecting contraband from him. Subsequently the



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other accused were also arrested and the investigating officer in this case filed petition in Crl.M.P.No.3335 of 2023 seeking further time for investigation and after getting further extension of time, a complaint was filed on 20.11.2023. Thereafter the case was pending for engaging the counsel. Thereafter, there was no progress. Hence, the petitioner approached this Court seeking for bail.

4. The learned counsel for the petitioner submitted that already the co-accused from whom the recovery were also effected were granted bail on the ground that they were in a continuous incarceration and submitted that there is no possibility of concluding the trial within reasonable time. Hence, prays to grant bail to the petitioner. He also relied on the order passed by this Court in Crl.O.P.No.10545 of 2025 dated 08.09.2025 and 4987/2025 dated 17.03.2025.

5. The learned Special Public Prosecutor reported that the petitioner has not co-operated for the trial and this petitioner also filed a discharge petition and thereby, the petitioner has also contributed to the delay and now the charges were also framed on 28.07.2025 and the case is posted for examination of LW1 on 17.10.2025. He further submitted that since trial is progressing and opposed to grant bail to the petitioner.



6. I have considered the submissions made on both sides and perused the records.

7. This Court has already granted bail to A2 and A3 in this case. While granting bail to A2 in Crl.O.P.No.10545 of 2025 dated 18.09.2025, this Court has recorded the following reasons.

“ 6. Considering the fact that this Court already granted bail to the petitioner's boy friend, who is accused No.2 and the allegation against this petitioner is that, she accompanied the accused No.2 to the Airport and no recovery effected from the petitioner herein, also considering the prolonged incarceration due to non-conclusion of the trial, I am inclined to grant bail to the petitioner with certain conditions, since the petitioner is a Uganda National.”

8. As far as this petitioner is concerned, this petitioner was found in possession of 2 kg of Cocaine which was transported to Chennai through international Airport. He is also stated that the petitioner is South African National. The other co-accused were granted bail on the ground that the contraband was not recovered from them and they were awaiting for the arrival



of this petitioner and to collect the contraband from this petitioner. It is also

recorded that there is continuous incarceration. Further this petitioner has also

filed discharge petition before the trial Court on 05.11.2024 and which was

pending for long time and after delay of some months, the trial was not

progressed.

9. Apart from that, the direct involvement of this petitioner and recovery of 2 kgs of Cocaine is not in dispute. The petitioner could not claim that he is in continuous incarceration since he is the person who filed discharge petition and delaying the process and the fact revealed now is that the case is posted for trial.

Hence, I am of the view that if the bail is granted, the petitioner would abscond and the likelihood of hampering the trial process. I am not inclined to grant bail to the petitioner and the could not be placed equal to the other persons who are released on bail.

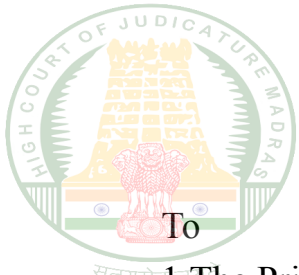
10. Accordingly, this Criminal Original Petition is closed.

13-10-2025

Mpa

Index: Yes/No

Speaking/Non-speaking order Internet: Yes Neutral Citation: Yes/No



To

1. The Principal Special Judge for EC and NDPS Act Case, Chennai.

2. Union of India,

Represented by its Intelligence office,

Narcotics Control Bureau, Chennai

Zonal Unit, Chennai.

3. The Public Prosecutor,

High Court of Madras.

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K.RAJASEKAR J.
mpa

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