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Crl.O.P.No.26799 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.26799 of 2025

Korra BeemeswarRao

... Petitioner

Vs.

State represented by
The Inspector of Police,
PEW Guduvancherry Police Station,
Chennai.
(Cr.No.35 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.35 of 2024 on the file of the respondent police, pending investigation.

For Petitioner : Mr.S.K.Mageshwaran
For M/s.Murali Law Firm
For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.02.2024 for the alleged offence under Section **8(c) 20 (b) (ii) (C), 29 (1) of the Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.35 of 2024** on the file of the respondent police, seeks bail.

2. This Court, earlier dismissed the bail application filed by the



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petitioner on several times and lastly, it was dismissed by an order dated

18.08.2025 in Crl.O.P.No.3394 of 2025, by observing in para 6 as follows:

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“6.This Court has already considered the facts and circumstances and found that it is not the fit case for bail. In the final report, it appears that there is no independent witness for the seizure, therefore citing this circumstances, learned counsel for petitioner seeks bail. However, this Court is of the view that whether there is an independent witness or not to be decided only by the Trial Court and it will not give presumption that the petitioner is an innocent person. Hence, this Criminal Original Petition stands dismissed.”

3.Since this Court has already considered the contentions raised by the petitioner on merits and dismissed the earlier petition that the Trial Court only has to decide the case during trial, this Court cannot re-decide the same and further the petitioner has not made out the case for any change in circumstances.

4. Accordingly, the Criminal Original Petition stands dismissed.

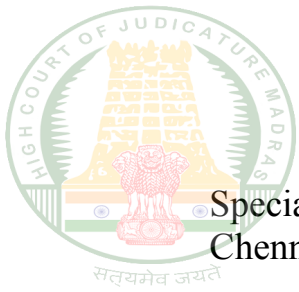
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To:

1.The Special Judge-II,

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Special Court for EC & NDPS Act,
Chennai.

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2.The Inspector of Police,
PEW Guduvancherry Police Station,
Chennai.

3.The Superintendent,
Central Prison,
Puzhal.

4.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR,J.

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