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CRL OP No. 2983 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 2983 of 2026

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

..Petitioner(s)

Vs

Union of India represented by:

The Intelligence officer,
Narcotics Control Bureau,
Chennai Zonal Unit,
Chennai.
[R.R. No.56 of 2022]

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in CC No.277 of 2024 pending on the file of the learned II Additional Special Court for Exclusive Trial of Cases Under NDPS Act, Chennai in R.R.No.56/2022 on the file of respondent.

For Petitioner(s): M/S. P. Ananda Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.12.2022 for the alleged offences under Sections 8(c) read with Section 22(c),



23(c), 28 and 29 of NDPS Act in R.R. No.56 of 2022 on the file of the respondent police, seeks bail.

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2. The *case of the prosecution* is that on a specific information, the officers of the respondent seized 2 kgs of Cocaine from black coloured trolley suitcase belonging to the petitioner herein, a South African national on 29.11.2022 at Chennai Airport and based on his confession, the co-accused were also arrested and 980 grams of Amphetamine and 40 grams of cocaine were also recovered from them and hence the case.

3. The learned counsel for the petitioner would submit that the petitioner has been intercepted by the respondent police officials at Chennai Airport on 29.11.2022 and thereafter, according to the prosecution, they recovered 2 kgs of Cocaine concealed in a black coloured trolley and in pursuance of which, the petitioner was arrested on 30.11.2022. The learned counsel would further submit that from A2 980 grams of Amphetamine was also recovered and there is no recovery from A3. The learned counsel would further rely upon the order passed by this Court on 20.03.2025 in Crl. O.P. No.4987 of 2025, wherein this court by taking into consideration of long incarceration, ordered bail to A2. The learned counsel would also invite attention of the E-Court daily status of the present case, where the case is posted for examination of PW1 in chief and for continuation of chief, adjourned the case to 31.10.2025. Even today, according to the E-Court status, the case is pending for continuation of chief examination.



4. At this juncture, the learned Special Public Prosecutor would submit that they had raised similar allegations in earlier bail application in Crl. O.P. No.26088 of 2025, wherein they had also argued in respect of the release of the co-accused, however, this Court has distinguished the present case.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. Though the learned counsel appearing for the petitioner would submit that the petitioner has been remanded to judicial custody on 30.11.2022 and he has been under incarceration for a continuous period of nearly 3 ½ years and that there is no substantial progress in trial, the learned Special Public Prosecutor has invited attention of this Court in respect of earlier order passed by this Court on 13.10.2025, where this Court recorded that this petitioner has filed discharge petition and only because of filing of such petition, there is a delay in trial. Therefore, as rightly contended by the learned Special Public Prosecutor, the delay in conducting trial alone cannot be a ground to overcome rigors under Section 37 of NDPS Act. In this case, the petitioner has also filed discharge petition and he is also responsible for such delay in trial. Hence, considering the huge quantity of contraband involved in this case, this Court is of the firm view that this case is not an appropriate case to enlarge the petitioner on bail.



7. Accordingly, this Criminal Original Petition is **dismissed**.

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MJS

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Public Prosecutor, High Court, Madras.
2. The Intelligence officer, Narcotics Control Bureau, Chennai Zonal Unit, Chennai.



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C.KUMARAPPAN, J.

MJS

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