



WEB COPY

CRL OP No. 5237 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5237 of 2026

A.Gopalakrishnan

..Petitioner

Vs

The State Rep. by
Union of India through
Intelligence Officer,
Narcotics control Bureau,
Chennai.
(Madurai sub-zone under Chennai zonal unit)
NCB F.No.48/1/02/2022/NCB/MDU

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Connection with Spl.CC No.01 of 2023 of the Additional District Judge and presiding officer of Special Court under E.C. and NDPS Act at Salem.

For Petitioner:

MR.Periaswamy I.

For Respondent:

Mr NP Kumar,
Special Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.05.2022 for the alleged offences under Sections 21(c), 23, 27A, 28 and 29 of



the Narcotic Drugs and Psychotropic Substances Act, 1985 in Spl.CC.No.1 of 2023 on the file of the Additional District Judge and Presiding Officer of EC and NDPS Act, Salem in NCB F.No.48/1/02/2022/NCB/MDU on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of 5 kg of heroin. Hence, the case.

3. The learned counsel for the petitioner submitted that this Court vide order dated 06.04.2026, after considering the submissions made by the learned counsel for the petitioner had directed the Additional Director, Chennai Zonal Unit, Narcotics Control Bureau, Chennai and Intelligence Officer, Narcotics Control Bureau, Chennai to file an affidavit explaining the cause of delay in producing the witnesses.

4. At this juncture, the learned Special Public Prosecutor submitted the affidavit has been filed by the Additional Director, Chennai Zone Unit, Narcotics Control Bureau. For ready reference, Para 7 and 8 of the affidavit of the Additional Director, Chennai Zone Unit, Narcotics Control Bureau are herein below extract:

7. It is respectfully submitted that LW-1 Shri Saravanan, the Intelligence Officer who conducted the investigation, was



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transferred to NCB Patna Zone in March 2024, and other government witnesses were transferred to Bangalore and Mumbai, which was impacted witness availability for examination. Further, the Special Public Prosecutor previously assigned to this case, being from Trichy and of advanced age, has been unable to regularly attend proceedings at Salem Court due to travel constraints. Accordingly, the respondent NCB is taking immediate steps to appoint a new Special Public Prosecutor from the Salem judicial jurisdiction to ensure consistent representation and expeditious disposal of the trial.

8. Further, the NCB undertakes to appoint a new Special Public Prosecutor at the earliest and produce two witnesses by the next hearing date, I.e, 21.04.2026 and assures to complete examination of all prosecution side witnesses within a period of six months from the date of this affidavit.

5. Today, the learned Special Public Prosecutor submitted that two witnesses have already been examined and for the cross examination of P.W-2 has been posted on 09.06.2026. He further stated that four more witnesses remain to be examined and therefore he sought some time to complete the trial.

6. Though the learned Additional Director, Chennai Zone Unit, Narcotics Control Bureau sought six months time, considering the long pendency of the trial, this Court directs the Additional Director, Chennai Zone Unit, Narcotics



Control Bureau to take necessary steps to produce the witness so as to complete the trial within a period of four months. If no substantial progress takes place within the above period, the petitioner are at liberty to renew the bail application.

7. Accordingly, this Criminal Original Petition is dismissed.

08-06-2026

SHL

To:

1. The Intelligence Officer,
Narcotics control Bureau,
Chennai.
(Madurai sub-zone under Chennai zonal unit)

2. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

SHL

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