



WEB COPY

CRL OP No. 7269 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 23.03.2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 7269 of 2026**

Sanjeevinathan

..Petitioner

Vs

The State rep by  
The Inspector of Police,  
PEW Guduvancherry Police Station,  
Chengalpet District  
Crime No.66 of 2025

..Respondent

Prayer: Criminal Original Petition filed under Section 483 of BNSS to enlarge the petitioner on bail in C.C.No.1284 of 2025 on the file of I Additional NDPS Court, Chennai in Crime No.66 of 2025 on the file of Inspector of Police, PEW Guduvancherry Police Station. Tambaram City.

For Petitioner:

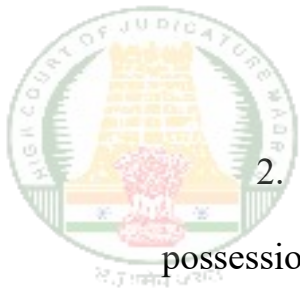
Mr.T.R.Rajagopal

For Respondent:

Mr.S.Vinoth Kumar  
Government Advocate (Crl.Side)

### **Order**

The petitioner, who was arrested and remanded to judicial custody on 09.05.2025 for the alleged offences under Sections 8(c) r/w 20(b)(ii)(c) of NDPS Act in Crime No.66 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner was found in possession of 21 kg of ganja. Hence, the case.

WEB COPY

3. The learned counsel for the petitioner submitted that the petitioner has been incarcerated since 09.05.2025. He further submitted that the registration of the FIR would be subsequent to the seizure of the narcotics in NDPS cases whereas in the present case, the alleged seizure mahazar was prepared at about 11.30 a.m. on 09.05.2025. At the time of seizure, the crime number was already mentioned as Crime No.66 of 2024, whereas, according to the prosecution, the FIR was registered at 2 p.m on 09.05.2025. This raises the question: had there been a real seizure at 11.30 a.m., there would not have been any possibility of recording the crime number in the seizure mahazar. However, the learned counsel for the petitioner fairly submitted that this is a case involving commercial quantity and petitioner has been remanded under judicial custody since 09.05.2025, almost more than eight months behind the bars. He, therefore prays for the grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the crime number was referred to at the time of filing the seizure mahazar before the Court and therefore, the mere reference to the crime number in the seizure mahazar will confer no benefit to the petitioner and that the FIR



was registered only subsequent to the seizure, which was effected at 11.30 a.m. on 09.05.2025. Hence, there is no merit in this application and hence, he opposed the grant of bail to the Petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. From the submissions made by the learned counsel on either side and while looking at the submission made by the learned counsel for the petitioner, he mainly relied upon the reference to the crime number in seizure mahazar. However, the learned Government Advocate (Crl.Side) explained that the same was referred to only for convenience at the time of submitting the seizure mahazar before the Court. Therefore, as rightly contended by the learned Government Advocate (Crl.Side) whether the FIR was subsequent to the seizure or seizure was subsequent to the FIR can only be decided at the time of trial. Therefore, it is too premature to go into such aspect at this stage. The learned counsel for the petitioner also submitted that the charge sheet also been filed and the case is at trial stage. Despite the above submissions, while looking at the commercial quantity of 21 kg of ganja, whenever commercial quantity involves, it attracts the rigour of Section 37(1)(b)(ii) of NDPS Act and to overcome such rigour, this Court could not find any material in this application. The reference to the crime number in the seizure mahazar which according to



this Court, is too premature to consider, in the light of the defence raised by the learned Government Advocate (Crl.Side). Hence, there are no merits in this application. This Criminal Original Petition is dismissed.

**23.03.2026**

SHL

To:

1. The I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai.

2.The Inspector of Police,  
PEW Guduvancherry Police Station,  
Chengalpet District

3. The Public Prosecutor  
High Court of Madras



WEB COPY

CRL OP No. 7269 of 2



**C.KUMARAPPAN J.**

**SHL**

**CRL OP No. 7269 of 2026**

**23.03.2026**