



WEB COPY

CRL OP No. 7854 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7854 of 2026

Sakarai @ Sakravarthi

..Petitioner

Vs

The State rep.by,
The Inspector of Police,
Attayampatti Police Station,
Salem District.
(Crime No.40/2026).

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail Crime No.40
of 2026 on the file of the Respondent.

For Petitioner:

Mr.C.Deepakkumar

For Respondent:

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
24.02.2026 for the alleged offences under Sections 8(c), 20(b)(ii)(B) of Narcotic
Drugs and Psychotropic Substances Act, 1985, in Crime No.40 of 2026 on the
file of the respondent police, seeks bail.



2. The case of the prosecution is that on 24.02.2026, while the respondent police were on routine patrol, they found the petitioner in possession of 5.200 kilograms of ganja. Hence, the case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case and he is no way connected with the alleged offence. The learned counsel would further submit that the recovery from the petitioner is only 5 kilograms and 200 grams of ganja and the same would fall under intermediate quantity. It is also submitted that the petitioner has been in incarceration since 24.02.2026 and that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner was found in 5.200 kilograms of ganja and that the petitioner has got 18 previous cases under the NDPS Act. The learned Government Advocate (Crl.Side) would strongly oppose the bail application on the ground that if the petitioner is enlarged on bail, he will again indulge in similar offences and would misuse the liberty granted by this Court.

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



6. Considering the submission of the learned counsel on either side, this Court is of the view that though the learned counsel for the petitioner would contend that the recovery is only intermediate quantity and that the petitioner has been in incarceration since 24.02.2026, the past conduct of the petitioner cannot be ignored. As rightly contended by the learned Government Advocate (Crl.Side), the petitioner has got 18 previous NDPS cases, which clearly demonstrates his involvement in similar offences. Hence, taking into consideration the nature of the allegation, the past criminal antecedents and the possibility of the petitioner committing similar offences if enlarged on bail, this Court is of the view that this is not an appropriate stage to consider the bail application.

7. Accordingly, this Criminal Original Petition stands dismissed.

27-03-2026

NSL

To

1. The Inspector of Police, Attayampatti Police Station, Salem District.
2. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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