



WEB COPY

CRL OP Nos. 12669 & 12670 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP Nos. 12669 & 12670 of 2026

Pushbendra Singh

... Petitioner / A3 in
Crl.OP.No.12669/2026

Sunil @ Jayaprakash

... Petitioner / A1 in
Crl.OP.No.12670/2026

Versus

The State represented by,
The Sub Inspector of Police,
R-3 Ashok Nagar Police Station,
Chennai.
(Crime No.396 of 2025)

.. Respondent in
both Crl.OPs.

COMMON PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in CC.No.396 of 2025 on the file of the 1st Additional Special Court for EC and NDPS Act at Chennai.

For Petitioner(s):

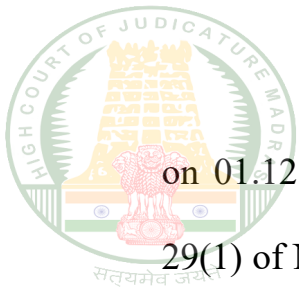
Mr.S.Kasirajan
(in both Crl.OPs.)

For Respondent(s):

Mr.S.Yogaraja Sekar,
Government Advocate (Crl. Side)
(in both Crl.OPs.)

COMMON ORDER

The petitioners/A3 & A1 were arrested and remanded to judicial custody



on 01.12.2024 for the alleged offence under Section 8(c) R/W Section 22(c), 29(1) of NDPS Act, 1985 in Crime No.449 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other co-accused was found in possession of 59 grams of Methamphetamine. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that this is the second bail application filed by the petitioners. He further submitted that the petitioners were arrested and remanded to judicial custody since 01.12.2024. According to the learned counsel, there are three accused in the case and the petitioners are arrayed as A3 and A1. He further submitted that there are no previous cases pending against either of the petitioners. He further submitted that 11 grams of Methamphetamine was recovered from A1, 37 grams from A2 and 11 grams from A3. Though the total quantity recovered constitutes a commercial quantity, the quantity recovered from each of the petitioners is only an intermediate quantity. The learned counsel further submitted that, even according to the confession statements recorded by the prosecution, the contraband was intended only for the personal consumption of the accused and not for sale or distribution. Hence, he prayed for grant of bail to the petitioners.



4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioners had been continuously purchasing the contraband from A3 and that the prosecution possesses records to establish such continuous transactions. He further submitted that, according to the confession statements of the petitioners, the contraband was not purchased solely for their personal consumption, but was also sold to third parties. According to the learned Government Advocate, the prosecution has sufficient materials to substantiate the same before the trial Court. He further submitted that the petitioners have not engaged any counsel before the trial Court and are thereby causing delay in the progress of the trial. Hence, he strongly opposed the grant of bail to the petitioners.

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, it is seen that the learned counsel for the petitioners contended that the quantity of contraband recovered from each of the petitioners is only an intermediate quantity and that, even according to the confession statements, the contraband was intended only for their personal consumption. However, the learned Government Advocate (Criminal Side) submitted that the prosecution possesses

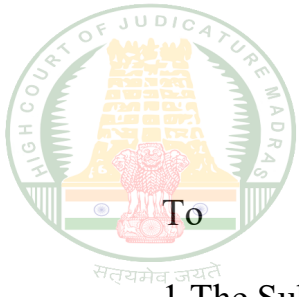


records to demonstrate that the petitioners had been continuously purchasing the contraband from A3 and that, apart from personal consumption, they were also selling the contraband to third parties. According to the learned Government Advocate, sufficient materials are available to substantiate the said allegations before the trial Court. Though the learned counsel for the petitioners reiterated that the contraband was intended only for personal consumption, this Court is unable to accept the said contention at this stage in view of the specific submission made by the learned Government Advocate (Criminal Side) that there are additional materials available to establish the involvement of the petitioners in the alleged offence. Further, the recovery from A2, namely 37 grams of Methamphetamine, together with the recoveries from A1 and A3, aggregates to 59 grams of Methamphetamine, which falls within the commercial quantity. In such circumstances, this Court finds that the petitioners have not made out any ground to overcome the rigour of Section 37 of the NDPS Act. Hence, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed for the present.

DRL

07-07-2026



To

1. The Sub Inspector of Police,
R-3 Ashok Nagar Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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