



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 12625 of 2026

Fathima Begam
D/o. Ismail Sheik,
Singimari, Dhubri Taluk,
Kokrajar District,
Assam State.

..Petitioner(s)

Vs

Home, Prohibition and Excise Department
The Inspector of Police,
Egmore Police Station,
Chennai District.
Crime No.577 of 2024.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in C.C.No.230 of 2025 on the file of the Honble II Additional Special Court for Exclusive Trial of Cases under NDPS Act at Chennai and thus render justice.

For Petitioner(s): Mr. M.Arunraja

For Respondent(s): Mr.S.Yogaraja Sekar,
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

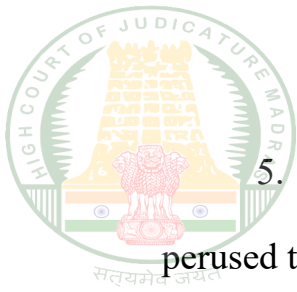
The petitioner, who was arrested and remanded to judicial custody on 16.12.2024 for the alleged offence under section 8(c), 20(b) (ii) (B), 22(c), 25, 29(1) of Narcotic Drugs and Psychotropic Substances Act (NDPS Act), 1985 in Crime No.577 of 2024 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner along with other accused was found in possession of 700 grams of Methamphetamine and 6.600 kgs of ganja. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner has been in judicial custody since 16.12.2024. He further submitted that only 6.600 kgs of ganja, which is an intermediate quantity was recovered from the petitioner, whereas 700 grams of Methamphetamine was recovered from A3. He further submitted that A1 and A5 have already been granted bail by this Court and that the petitioner has no previous criminal antecedents, whereas A1 has four previous cases. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Counsel (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that no recovery was effected from A1 and A5, whereas the petitioner was travelling along with A3 in the Hyundai Car bearing Registration No.TN12 BH 6401. He further submitted that 700 grams of Methamphetamine, which is a commercial quantity was recovered from A3 and 6.600 kgs of ganja, which is an intermediate quantity was recovered from the petitioner. Since both of them were travelling together, the recovery from A3 is liable to be clubbed with that of the petitioner. He further submitted that A3 and A4 are husband and wife. Therefore, the rigours of Section 37 of the NDPS Act are attracted. 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.

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6. Considering the facts and circumstances of the case, it is seen that the petitioner was travelling along with A3, from whom 700 grams of Methamphetamine, a commercial quantity was recovered. Prima facie, the petitioner and A3 were travelling together in the same vehicle and the contraband was recovered during the same transaction and that the entire recovery must also be counted against this petitioner too. The said contention of the learned Government Advocate (Crl.Side) is well merited. From the factual positions, the total recovery in this case is 6.600 kgs of ganja and 700 grams of Methamphetamine. To overcome the rigour under section 37 of NDPS Act, this Court could not find any material.

7. Accordingly, this Criminal Original Petition is dismissed.

07-07-2026

DRL

To

1.The Inspector of Police,
Egmore Police Station,
Chennai District.

2.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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