



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16305 of 2026

Maheshkumar
Son of Mani,
No.2/103, Velliangadu,
karamadai,
now at, Kaviya garden,
kanuvaipalayam karamadai,
Mettupalayam (T.K.), Coimbatore District.

..Petitioner(s)

Vs

The State rep by, The Inspector of Police,
Karamadai Police Station,
Coimbatore.
Crime No.52/2025

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in crime No.52 of 2025 on the file of the respondent / police and pass such further or other orders and thus render justice.

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

ORDER

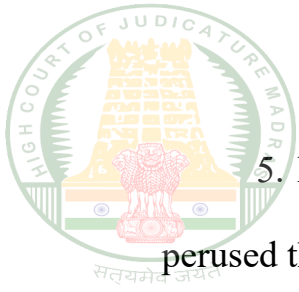
The Petitioner/A2, who was arrested and remanded to judicial custody on 25.01.2025 for the alleged offence under Section 8(c), 20(b)(ii)(c), 25 and 29(1) of NDPS Act, 1985 in Crime No.52 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner along with other accused was found transporting 25 kgs of ganja illegally, which led to the registration of the present case. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner was arrested and remanded to judicial custody on 25.01.2025. He further submitted that, though the total recovery is 25 kgs of ganja, only 4 kgs of ganja was recovered from the petitioner, whereas 21 kgs of ganja was recovered from A1. He further submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for 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 A1 and A2 are siblings. Even according to the prosecution, the petitioner followed A1 in his two-wheeler during the transportation of the contraband. He further submitted that the petitioner has three previous cases, one of which is under the NDPS Act. 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.

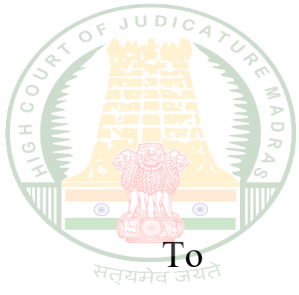
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6. From the submissions made by the learned counsel on either side, it is seen that 21 kgs of ganja was recovered from A1 and 4 kgs of ganja was recovered from the petitioner herein, making the total recovery of 25 kgs, which is a commercial quantity. The materials placed before this Court also indicate that both the accused were travelling one after the other while transporting the contraband. As rightly contended by the learned Government Advocate, the rigours under Section 37 of the NDPS Act are attracted in the present case. Though the learned counsel for the petitioner submitted that proceedings under the SARFAESI Act are pending against the petitioner and that his presence is required to safeguard his property, the said ground cannot be a valid reason to enlarge him on bail under Section 37 of the NDPS Act. Further, the petitioner has not made out a case satisfying the twin conditions contemplated under Section 37 of the NDPS Act. Therefore, this Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, this Criminal Original Petition stands dismissed.

DRL

08-07-2026



To

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1. The Inspector of Police,
Karamadai Police Station,
Coimbatore.

2. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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