



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP Nos. 14987 & 14989 of 2026

B.Prabu

..Petitioner in Crl.O.P.No.14987 of 2026

C.Sethupathi alias Sethu

..Petitioner in Crl.O.P.No.14989 of 2026

Vs

State Rep. by,
The Inspector of Police,
E5, Sholavaram Police Station,
Chennai -600 067.
Crime No.713 of 2024

..Respondent in
Crl.O.P.Nos.14987 & 14989
of 2026

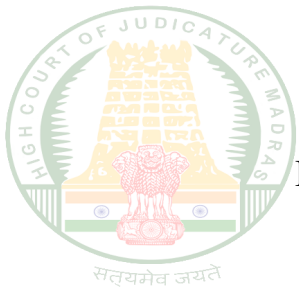
PRAYER in Crl.O.P.No.14987 of 2026: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in CC.No.111 of 2025 pending before on the file of I Additional for Exclusive Trial of cases under NDPS Act, Chennai.

PRAYER in Crl.O.P.No.14989 of 2026: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.713 of 2024 in C.C.No.111 of 2025 pending before on the file of I Additional for Exclusive Trial of cases under N.D.P.S Act, Chennai.

For Petitioners:

Mr.T.Maha Vishnu in Crl.O.P.No.14987 of 2026

Mr.R.Thamarai Selvan
in Crl.O.P.No.14989 of 2026



For Respondent:

Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side) in both cases

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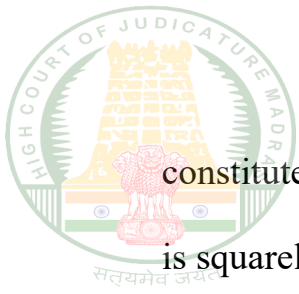
COMMON ORDER

The petitioners/A1 & A2 were arrested and remanded to judicial custody on 17.07.2024 for the alleged offences under Sections 8(c), 22(c), 20(b)(ii)(B), 29(1), 25 of Narcotics Drugs and Psychotropic Substances Act, 1985, in Crime No.713 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners/A1 & A2 was found in possession of 70 grams of Methamphetamine and 1.02 kgs of Ganja. Hence, the case.

3. The learned counsel for the petitioners submits that though this case involves a commercial quantity, the petitioners/A1 & A2 have been in judicial custody since 17.07.2024 and there is a delay in the trial. Therefore, the valuable right and liberty of the petitioners are affected. Hence, they prays for the grant of bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submits that Accused No. 1 is having 36 previous cases, including 5 for murder, while Accused No. 2 is having 7 previous cases, including 2 under the NDPS Act. It is further submitted that since the seized contraband



constitutes a commercial quantity, the rigour under Section 37 of the NDPS Act is squarely attracted. Hence, he opposed for grant of bail to the petitioners.

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

6. While perusing the factual position, though the petitioners/A1 & A2 were remanded to judicial custody on 17.07.2024, the recovery from A1 is 70g of Methamphetamine and there is material connecting A2 with the recovery from A1. That being the case, the recovery from A1 must also constitute conscious possession on the part of A2. In such a view of the circumstances, the rigour under Section 37 of the NDPS Act is attracted. To overcome the rigour, except for the pendency of the trial since 17.07.2024, the petitioners have not brought forward any ground. Therefore, this Court is of the firm view that no reasonable case has been placed before this Court to overcome the rigour under Section 37 of the NDPS Act and apart from that, the petitioners have a strong criminal history. Hence, this Court is not inclined to enlarge the petitioners on bail.

7. Accordingly, these Criminal Original Petitions stands dismissed.

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21-07-2026



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CRL OP Nos. 14987 & 14989 of 2



C.KUMARAPPAN, J.

NSL

To

1. The Inspector of Police, E5, Sholavaram Police Station,
Chennai - 600 067.
2. The Public Prosecutor, High Court of Madras.

CRL OP Nos. 14987 & 14989 of 2026

21-07-2026