



WEB COPY

CRL OP Nos. 17384 & 17385 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP Nos. 17384 & 17385 of 2026

Bhavani
Priya

..Petitioner in Crl.O.P.No.17384 of 2026
..Petitioner in Crl.O.P.No.17385 of 2026

Vs

State Rep. by,
The Inspector of Police,
Kaveripakkam Police Station,
Ranipet District.
Crime No.53/2026

..Respondent in Crl.O.P.No.17384 &
17385 of 2026

PRAYER in Crl.O.P.No.17384 of 2026: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/accused No.2 on bail in Crime No.53 of 2026 pending on the file of Respondent Police.

PRAYER in Crl.O.P.No.17385 of 2026: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/accused No.3 on bail in Crime No.53 of 2026 pending on the file of Respondent Police.

For Petitioner:

Mr.M.S.Sriraam in both cases

For Respondent:

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



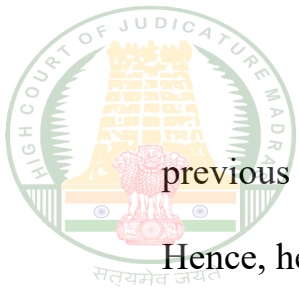
COMMON ORDER

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The petitioners, who were arrested and remanded to judicial custody on 26.02.2026 for the alleged offences under Sections 8(c), 20(b)(ii)(c) and 29(1) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, in Crime No.53 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on secret information, the respondent police intercepted an Ertiga car near Sunbeam School on 26.02.2026. Upon search of the vehicle, 21 kilograms of ganja was recovered. It is alleged that the occupants of the vehicle, including the present petitioners, were transporting the contraband to Chennai. Hence the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners have been in judicial custody since 26.02.2026. It is submitted that the petitioner in Crl.O.P.No.17385 of 2026, Priya, is the wife of the first accused, while the petitioner in Crl.O.P.No.17384 of 2026, Bhavani is only the neighbour of the Priya. The learned counsel would submit that the first accused had undergone treatment at the Government Medical College Hospital, Vellore, and after his discharge, the petitioners merely assisted him in returning to their native place. It is further submitted that the petitioners have been falsely implicated and there is no specific overt act attributed to them. Except for one



previous case against the first petitioner, there are no other criminal antecedents.

Hence, he prayed for grant of bail to the petitioners.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent police strongly opposed the bail application and submitted that the investigation is still pending. It is further submitted that the recovery of 21 kilograms of ganja constitutes commercial quantity and the contraband was recovered from the very vehicle in which the petitioners were travelling. Therefore, the petitioners being occupants of the vehicle were in conscious possession of the contraband and the rigour under Section 37 of the NDPS Act squarely applies.

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

6. The primary contention of the learned Government Advocate (Crl.Side) is that the investigation is still pending and the recovery of commercial quantity of ganja has been effected from the vehicle travelled by the petitioners. *Prima facie*, there are materials to indicate conscious possession of the contraband by the occupants of the vehicle. As rightly contended by the learned Government Advocate (Crl.Side), if the petitioners are enlarged on bail at this stage, it may affect the investigation. Further, the quantity involved is



admittedly commercial quantity and this Court does not find any material to overcome the rigour under Section 37 of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985. Hence, this Court is not inclined to enlarge the petitioners on bail.

7. Accordingly, these Criminal Original Petitions stands dismissed.

16-07-2026

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To

1. The Inspector of Police, Kaveripakkam Police Station, Ranipet District
2. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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