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Crl.OP.No.35783 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2026

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.35783 of 2025

Vinoth

... Petitioner

Vs.

The Union Rep by
The Intelligence Officer,
Directorate of Revenue Intelligence,
Chennai.
R.R.No.21 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in
R.R.No.21 of 2025 pending on the file of the Respondent Police Agency,
Intelligence Officer, Directorate of Revenue Intelligence.

For Petitioner : Mr.V.Saravanan

For Respondent : Mr.P.Vishnu
Special Public Prosecutor

ORDER

The petitioner/A5, who was arrested and remanded to judicial custody
on 07.08.2025, for the alleged offence punishable under Sections 8(c), r/w
1/8



20(b)(ii)(C), 21(C), 23(C), 25, 27A, 28 and 29 of NDPS Act, 1985 in R.R.No.21 of 2025 on the file of the respondent police, seeks bail.

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2(i). The prosecution alleges is that the Officers of Directorate of Revenue Intelligence (DRI) CZU, Chennai, received a specific information on 13.07.2025, to that effect that one Krishnakumar (A3) wearing grey colour shirt, blue colour checked lungi and carrying blue colour skaybags” backpack, along with one more person, would be arriving at CMBT bus stands, Koyambedu from Visakhapatnam in a private bus of M/s.Sri Tulasi Travels bearing No.AP-39-UZ-0036 and would be carrying narcotic drugs/psychotropic substances in commercial quantity, which is covered under NDPS Act, 1985.

2(ii) It is further alleged that the officers of DRI, in pursuance of the said information mounted surveillance and started monitoring the traffic for Sri Tulasi Travels Bus bearing Reg.No.AP39UZ0036. At around, 13.30 hours, the officers found that the said bus arrived at CMBT bus stand, Koyambedu and stopped opposite to CMBT bus stands, Koyambedu. Thereafter, the officers of DRI saw that the passengers of the said bus started alighting one after the other. Based on the details available, the Officers



identified a person wearing grey colour shirt, blue colour checked lungi and carrying blue colour skaybags, backpack, who alighted from the said bus along with one more person. The officers then approached both of them and introduced themselves to the said persons by showing their departmental identity cards. The two persons introduced themselves as K.Krishnakumar (A3) and Sankara Narayan (A4). K.Krishnakumar was carrying only one blue coloured skaybags backpack. Sankara Narayanan was carrying a black levista backpack. The officers then individually questioned both the persons if they were carrying any narcotic drugs in person or in their bags, to which both of them replied in negative. However, upon persistent enquiry, A3 admitted that he was carrying norcotcis substances in his blue colour skaybags backpack. A3 further stated that based on the instructions of one Dhilipan(A1), he received the said narcotics substances at Vishkhapatnam and that the said narcotics substances need to be carried to Thoothukudi and handed over to A1. As the place of interception was not conducive for further examination of the intercepted persons and their baggage, the officers with the consent of A3 and A4, escorted them along with their bags to the office of DRI, Chennai.



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2(iii) From the statement of A3 and A4, revealed that the petitioner/A5 joining hands with other accused involved in procuring transporting and trafficking of Hashish Oil. Subsequently, the defacto complainant lodged a complaint against the petitioner, which led to the registration of the case, thereby, the petitioner was arrested on 07.08.2025. Hence, the present petition has been filed seeking bail.

3. The learned counsel appearing for the petitioner submitted that though the petitioner herein is ranked as A5, there is no material to connect the petitioner with the alleged contraband in this case. He further stated that the petitioner is involved in assisting A1 in this case, except the statement recorded from the petitioner, there was no other material, placed on record, for the purpose of establishing prima facie case against the petitioner herein. He further submitted that the statement relied on by the respondent for the purpose of implicating the accused is not admissible in evidence. He further submitted that the petitioner is in custody from 07.08.2025 and he is ready to cooperate with the investigation and also ready and willing to abide by any conditions that may be imposed by this court. Hence, he prayed for grant of bail to the petitioner.



4. The learned Special Public Prosecutor appearing on behalf of the respondent reiterated the prosecution case and that the statement was recorded from A1 and the petitioner herein, they have revealed that on 03.07.2025 itself, this petitioner accompanied with A1, went to Vijayanagaram, Andra Pradesh on 02.07.2025, therein, he stayed along with other accused till 06.07.2025. After checking the quality of the Hashish Oil, the total amount of Rs.78,500/- by way of four bank transaction, was paid to the petitioner for his assistance, transferred through the friend of A1's account. The learned Special Public Prosecutor further submitted that the presence of the petitioner at Vijayanagaram has also been established by obtaining cell phone tower location as well as other account details. Hence, he opposed for grant of bail to the petitioner.

5. In reply, the learned counsel for the petitioner submitted that though it is stated that some amounts were paid into the bank account of the petitioner, this money was not paid by any of the accused herein. Though it is stated that the money was transferred into the A1 friend's account, the said A1's friend was not examined or his bank statement is also be produced for the purpose of corroboration. Hence, he prays to reject the reliance made by



the respondent.

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6. I have also gone through the statements, counter and other connected materials, including the bank statement produced before me, each reveals that on 03.07.2025, the petitioner has received a sum of Rs.78,500/- , the said account was not transferred into the petitioner's account, but, it was transferred from the A1 friend's account. However, the fact remains that the petitioner has collected Rs.78,000/-, while he was staying at Vijayanagaram, Andra Pradesh. Further, there are materials produced to corroborate his presence at Vijayanagaram, Andra Pradesh and the cell phone tower locations, also linked with A1's presence at the very same place. In such circumstances, I am of the view that there are evidence produced before this Court to link the petitioner with seized contraband. Now, the burden shifted to the petitioner herein to satisfy the twin conditions of Section 37 of NDPS Act except raising doubts regarding the non-examination of A1's friend and also his presence for some other purpose at Vijayanagaram. Since it is a settled law that merely raising doubts or some suspicion is not valid ground for satisfying the twin conditions under Section 37 of NDPS Act, I am not inclined to grant bail to the petitioner.



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7. Accordingly, this Criminal Original Petition is dismissed.

13.02.2026

To

1. The Judicial Magistrate-Customs Court, Alandur
2. The Intelligence Officer,
Directorate of Revenue Intelligence,
Chennai.
3. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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