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Crl.O.P.No.2255 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2255 of 2025

MARIAPPAN

... Petitioner/Accused

Vs.

State through
The Inspector Of Police,
Guduvancherry Pew Police Station,
Chennai.
Cr.No.225 Of 2024.

... Respondent

PRAYER: This Criminal Original Petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.225 of 2024 on the file of the respondent police.

For Petitioners : Mr.P.Suresh Kumar

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

For Intervener : Mr.A.Vijayashankar

ORDER

This Criminal Original Petition has been filed by the petitioner, who were arrested and remanded to judicial custody on 12.08.2024, seeking bail



in Crime No.225 of 2024 registered for the offence under Sections 8(c) r/w
20(b)(ii)(C) of NDPS Act.

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2.The case of the prosecution is that on 12.08.2024, based on the secret information, the respondent and his team conducted a search at Guduvanchery bus stand, wherein they found that the accused is in illegal possession of 22 kilograms of ganja. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The respondent has filed a detailed counter.

5.Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is in illegal possession of 22 kgs of ganja, which is a commercial quantity. He further submits that the



petitioner has three previous cases, out of which, 2 cases are NDPS and other case is the IPC offence. Hence, he strongly opposed for the grant of bail to the petitioner.

6. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

7. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Government Advocate (Crl.Side), this Court is of the view that the seized contraband is a commercial quantity and it is alleged to be recovered from the possession of the petitioner and the petitioner has three previous cases pending against him. In the opinion of this Court, the petitioner has not satisfied the twin conditions required under Section 37 of NDPS Act. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, the Criminal Original Petition stands dismissed.

14.02.2025

drl



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G.K.ILANTHIRAIYAN, J.

drl

Copy to:

- 1.The Inspector Of Police,
Guduvancherry Pew Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.

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