



Crl. O.P. No.3371 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2025

CORAM

**THE HON'BLE MR. JUSTICE SUNDER MOHAN**

Crl. O.P. No.3371 of 2025

Saroj Kumar Bardhan S/o. Kusha Bardhan ... Petitioner / Accused-1

Vs.

The Inspector of Police,  
T-1 Tambaram PEW Police Station,  
Chennai.  
(Cr. No.12 of 2024).

... Respondent

**PRAYER:** The Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Cr. No.12 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.C.S.S. Pillai

For Respondent : Mr. Leonard Arul Joseph Selvam  
Government Advocate (Crl. Side).

**ORDER**

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 17.01.2024 seeking bail in Cr. No.12 of 2024 registered for the offences under Sections 8(C), 20(b)(ii)(C) and 29(1) of NDPS Act.



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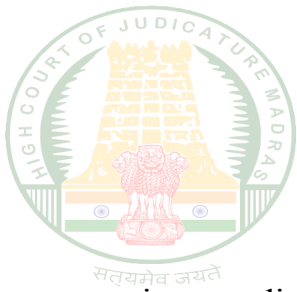
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2. The case of the prosecution is that based on secret information, the petitioner along with other accused were found in possession of 53 kgs of Ganja; that the petitioner was found in possession of 38 kgs of Ganja and A2 was found in possession of 15.500 kgs of Ganja; and that no contraband was seized from A3.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that the co-accused were arrested and released on bail by this Court vide orders dated 03.07.2024 and 29.04.2024; and that in any case, considering the period of incarceration of the petitioner, further custody of the petitioner is not required and hence prayed for grant of bail.

4. The learned Government Advocate (Criminal side) appearing for the respondent reiterated the prosecution case and on instructions submitted that admittedly, the co-accused were granted bail, because, the contraband seized from them was only an intermediate quantity, whereas, the contraband seized from this petitioner is commercial quantity.

5. The co-accused were granted bail, since both of them possessed



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intermediate quantity of Ganja. The petitioner was found in possession of 38 kgs of Ganja. Hence rigors of Section 37 of NDPS Act would be applicable to the petitioner. He has not satisfied the twin conditions under Section 37 of NDPS Act and hence this Court is not inclined to grant bail at this stage.

6. Accordingly, the Criminal Original Petition is dismissed.

**21.03.2025**

*mjs*

To

- 1.The Inspector of Police, T-1 Tambaram PEW Police Station, Chennai.
2. The Public Prosecutor, High Court of Madras.

**SUNDER MOHAN., J.**



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