



WEB COPY



Crl. O.P. No.4118 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4118 of 2025

Pappa Rao @ Raja @ Raji Retty
S/o. Chandar Rao

... Petitioner/Accused-1

Vs.

The State
Represented by its
Inspector of Police,
N2 Kasimedu Police Station,
Chennai
(Cr. No.712 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to
enlarge the petitioner on bail, in connection with the Crime No.712 of 2024, on
the file of the respondent.

For Petitioner : Mr. G. Ezhil Balaji
For Respondent : Mr. Leonard Arul Joseph
Government Advocate (Crl. side)



Crl. O.P. No.4118 of 2025

WEB COPY

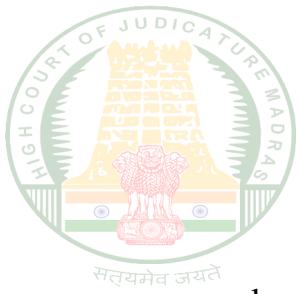
ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 26.11.2024, seeking bail in Crime No.712 of 2024 registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) of Narcotic and Substances Act 1985.

2. The case of the prosecution is that, on 26.11.2024, at about 11.00 a.m, when the petitioner was intercepted by the respondent police, he along with the other accused was found in possession of 3 Kgs of Ganja and that a further quantity of 18 Kgs of Ganja was seized from the petitioner's room at a lodge in Chennai.

3. The learned counsel appearing for the petitioner would submit that the first seizure was 3 Kgs and the second seizure cannot be contributed to the petitioner and that considering the period of incarceration, further custody of the petitioner is not required and sought for bail to the petitioner.

4. The learned Government Advocate (Crl. side) appearing for the



Crl. O.P. No.4118 of 2025

respondent police submitted that the total quantity of contraband seized was 21 Kgs, which is a commercial quantity and that considering the fact that the petitioner has not satisfied the twin conditions under Section 37 of the NDPS Act, the present Criminal Original Petition has to be dismissed.

5. The total quantity of contraband seized was 21 Kgs, which is a commercial quantity and hence the petitioner has to satisfy the twin conditions under Section 37 of the NDPS Act. In the affidavit filed in support of this petition, the petitioner has not stated as to how he has satisfied the twin conditions under Section 37 of the NDPS Act. Since the petitioner has not satisfied the twin conditions under Section 37 of the NDPS Act, he cannot be released on bail. Accordingly, the Criminal Original Petition is dismissed.

18.03.2025

bga

To

1. Inspector of Police,
N2 Kasimedu Police Station
Chennai
2. The Public Prosecutor, High Court, Madras

3/4



WEB COPY



Crl. O.P. No.4118 of 2025

SUNDER MOHAN., J.

bga

Crl.O.P.No.4118 of 2025

18.03.2025