



Crl.OP.No.5986 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM

THE HONOURABLE JUSTICE **K.RAJASEKAR**

Crl.O.P.No.5986 of 2025

N.Shashi Kumar

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Pallikaranai PEW,
Tambaram City PEW,
Chennai.
Cr.No.54 of 2024

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge him on bail pending trial in C.C.No.599 of 2024 on the file of Special Judge, II Additional Special Court for Exclusive Trial of Cases under NDPS Act at Chennai.

For Petitioner : Mr.M.G.MartinManivannan

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 12.02.2024 for the alleged offence under Sections 8(c), 20(b)(ii), ©, 29(1) and 25 of NDPS Act, 1985 in Crime No.54 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the along with other accused were found in possession of 101 kgs of ganja. Hence, the case.

3. While considering the bail petition filed by the petitioner in Crl.OP.No.30191 of 2025 dated 03.01.2025, this Court after considering the various points, dismissed the petition. The relevant portion of the order passed by this Court in Crl.OP.No.30191 of 2025 is reads as follows:

“ In this case, the quantity of contraband involved is a commercial quantity. According to the prosecution, the petitioner along with other accused, transported the contraband in a car and the said contraband was recovered from all the accused. Though investigation is completed, the offence are grave in nature. Since the quantity of



contraband is a commercial quantity, the conditions under Section 37 of NDPS Act have to be complied with, and in this case there is no compliance with the conditions under Section 37 of NDPS Act. Since the case is posted for trial, it is for the petitioner to participate in the trial and to establish the non compliance of Section 42 of NDPS Act. At this stage, considering the gravity of the offence and the facts and circumstances of this case, this Court is declined to grant bail to the petitioner”.

4. Subsequent to the dismissal of the above petition, the petitioner has filed the present petition on the very same grounds that were raised in the earlier bail petition. Further, there is no change in circumstances after the dismissal of earlier petition. Hence, this Court is not inclined to reconsider once again the merits of the claim made in the earlier bail petition.

5. Accordingly, this Criminal Original Petition is dismissed.

08.10.2025

Vv

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To
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1. The Special Judge,
II Additional Special Court for Exclusive Trial
of cases under NDPS Act, Chennai.
2. The Inspector of Police,
Pallikaranai PEW,
Tambaram City PEW,
Chennai.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

Vv

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