



WEB COPY



Crl.OP.No.4902 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4902 of 2025

Kandasamy @ Sathish

.. Petitioner /Accused No.1

Vs.

The State rep by
The Inspector of Police,
Rasipuram Police Station,
Namakkal District.
(Crime No.649 of 2023)

.. Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Spl.C.C.No.69 of 2024 in Crime No.649 of 2023 on the file of the respondent Police.

For Petitioner : M/s.C.R.Gokulvisvas

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 12.12.2023, seeking bail in



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Crime No.649 of 2023 registered for the offence under Sections 8(c) r/w
20(b)(ii)(C), 25, 29(1) of NDPS Act.

2. The case of the prosecution is that the petitioner/Accused No.2 along with other accused were found in illegal possession of 50 kilograms of Ganja.

3. The learned counsel appearing for the petitioner submitted that the similarly placed co-accused was granted bail on 09.12.2024 in Crl.O.P.No.29956 of 2024.

4. The learned Government Advocate (Crl.Side) appearing for the respondent, opposed the grant of bail and submitted that the contraband seized from the petitioner is of commercial quantity.

5. Considering the aforesaid facts, this Court finds that the grant of bail to the co-accused would not enure to the benefit of the petitioner, since the contraband seized from the petitioner is of commercial quantity. The petitioner has to satisfy the twin conditions imposed under Section 37 of



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the NDPS Act, which he has not done. Hence, this Court is not inclined to grant bail to the petitioner at this stage and accordingly, this criminal original petition is dismissed.

14.03.2025
(2/2)

Index : Yes / No
Internet : Yes / No
dpa

To

1.The Inspector of Police,
Rasipuram Police Station,
Namakkal District.

2.The Special Court under EC Act, Salem.

3.The Superintendent of Prison,
Central Prison, Salem.

4.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN , J.



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