



Crl. O.P. No.4895 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4895 of 2025

Midhalraj S/o. Nousath

... Petitioner/Accused-1

Vs.

The State represented by-

The Inspector of Police,
PEW Gummidipoondi Police Station,
Thiruvallur District.
(Crime No.304 of 2024).

... Respondent

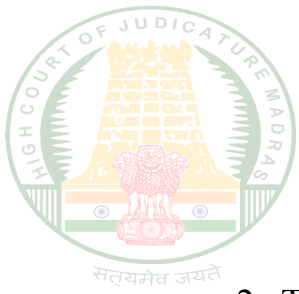
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.304 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr. P. Sundara Rajan

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 12.11.2024, seeking bail in Crime No.304 of 2024 registered for the offences under Sections 8(c), 20(b)(ii)(C), 20(b)(ii)(C), 25 and 29(1) of NDPS Act.



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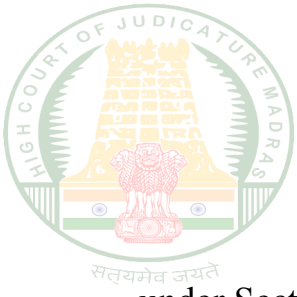
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2. The case of the prosecution is that on secret information, the car, in which the petitioner and the co-accused were travelling, was intercepted and they were found in possession of 40 kgs of Ganja, thus, committed the aforesaid offences.

3. Learned counsel appearing for the petitioner submitted that the petitioner is only a driver and he was not in possession of contraband as alleged by the prosecution; that he has no bad antecedent; and that considering the period of incarceration, he may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and also filed a counter affidavit of the respondent police, in which, it has been stated that the petitioner along with other co-accused, was jointly in possession of 40 kgs of Ganja, which is a commercial quantity and the petitioner has one previous case registered under the NDPS Act for the possession of intermediate quantity of Ganja.

5. In the light of the aforesaid facts, the rigors of Section 37 of NDPS Act would be applicable to the petitioner and he has not satisfied the twin conditions



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under Section 37 of NDPS Act.

6. Therefore, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the Criminal Original Petition is dismissed.

06.03.2025

mjs

To

1. The Inspector of Police, PEW Gummidipoondi Police Station, Thiruvallur District.
2. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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