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Crl.O.P.No.8124 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2025

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

Crl.O.P. No.8124 of 2025

Santhosh

Petitioner(s)

Vs

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

Respondent(s)

**PRAYER:** This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.304 of 2024 pending investigation on the file of the respondent police.

For Petitioner : Ms.S.Thelagavathi

For Respondent : Ms.J.R.Archana,  
Government Advocate (Crl. Side)



Crl.O.P.No.8124 of 2025

WEB COPY

**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 offence under Sections 8(c), 20(b)(ii)(c), 29(1) and 25 of the NDPS Act, 1985 as amended by Act 9 of 2001.

2. The case of the prosecution is that the petitioner along with other accuse were found in joint possession of 40 kgs of ganja, when the respondent conducted an inspection on secret information.

3. Learned counsel appearing for the petitioner submitted that the allegations are false; that the petitioner is innocent and he was arrested on 12.11.2024 and considering the period of incarceration, further custody of the petitioner is not required and he may be released on bail.



Crl.O.P.No.8124 of 2025

WEB COPY

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and also filed a counter affidavit which confirms that all the three accused including this petitioner were in joint possession of 40 kgs of ganja and the petitioner has not satisfied the twin conditions under Section 37 of NDPS Act.

5. Admittedly, the petitioner along with other accused was in joint possession of 40 kgs of ganja which is commercial quantity. Hence, the petitioner has to satisfy the twin conditions under Section 37 of NPDS Act which is not done by the petitioner. Hence, considering the aforesaid facts and the gravity of the offence, this Court is not inclined to entertain the bail petition at this stage.

6. With the above observations, this Criminal Original Petition is dismissed.

**28.03.2025**

rkp



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Crl.O.P.No.8124 of 2025

**SUNDER MOHAN, J.**

Copy to:

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

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