



Crl.O.P.Nos.7955, 9704 & 9706 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 02.04.2025

PRONOUNCED ON : 07.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.Nos.7955, 9704 & 9706 of 2025

1. Sarath Kumar ... Petitioner in Crl.OP.No.7955 of 2025 /A10
2. L.Murugan ... Petitioner in Crl.OP.No.9704 of 2025 /A8
3. Lakshmi Narasimhan ... Petitioner in Crl.OP.No.9706 of 2025 /A7

Vs.

State, Rep. by the Inspector of Police
M-1 Madhavaram Police Station,
Chennai.

(Crime No.1176 of 2024) ... Respondent in all cases

PRAYER: Criminal Original Petitions filed under Section 483 of BNSS, pleaded to enlarge the petitioners/accused on bail, in connection with the Crime No.1176 of 2024, pending investigation on the file of the respondent Police.

For Petitioner
in Crl.OP.No.7955/2025 : Mr.R.C.Paul Kanagaraj

in Crl.OP.Nos.9704 &
9706/2025 : Mr.R.Renjith



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For Respondent
in all cases

: Ms.J.R.Archana
Govt. Advocate (Crl. Side)

COMMON ORDER

These Criminal Original Petitions have been filed by the petitioners/A10, A8 & A7, who were arrested and remanded to judicial custody on 31.12.2024, seeking bail in Crime No.1176 of 2024 registered for the offence under Sections 8(c), 22(c), 25, and 29(1) of NDPS Act, 1985.

2. (i) It is the case of the prosecution that on 21.12.2022 at about 14.50 hours, the respondent received secret information about the illegal transportation of contraband; that a team of officers intercepted a two-wheeler bearing Regn.No.TN05-CF-7066 in which the first accused Venkatesan @ Rajesh and the second accused Karthik were travelling; that the respondent seized 1.400 Kgs of Methamphetamine from the first accused besides 100 gms of Methamphetamine from the second accused; that thereafter, on the confession of A1, 16 Kgs of Methamphetamine was seized from a godown at Redhills, belonging to one Sarath Kumar[A9]; and that as per the counter of the respondent 17.300 Kgs of Methamphetamine was seized from A1.



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(ii) It is the further case of the prosecution that on the confession of the accused, the respondent arrested the other accused, details of which are tabulated hereunder.

Sl.No.	Accused		Contraband seized	Date of Arrest
	Rank	Name		
1	A5	Shagul Hameed	65 gms of Methamphetamine	30.12.2024
2	A6	Lawrence	63 gms of Methamphetamine	
3	A9	Sarath Kumar (petitioner in Crl.OP.No.7955/2025)	65 gms of Methamphetamine	
4	A10	Jansi Marida	72 gms of Methamphetamine	
5	A11	Vikash Mehadi	No contraband seized	31.12.2024
6	A7	Lakshmi Narasimman petitioner in Crl.OP.No.9704/2025)	70 gms of Methamphetamine	
7	A8	Murugan petitioner in Crl.OP.No.9706/2025)	86 gms of Methamphetamine	
8	A12	Shanmugam	No contraband seized	29.12.2024
9	A3	Diwan Mohammed	No contraband seized	27.12.2024
10	A14	Nirendhiran	No contraband seized	

3. Mr.R.C.Paul Kanagaraj, the learned counsel for the petitioner [Sarath Kumar] in Crl.OP.No.7955 of 2025/A10 submitted that the petitioner was implicated only on the confession of the co-accused; that the allegations are false; that if there was conspiracy after the arrest of the first accused, it is highly improbable that the petitioner/A10 was in possession of 65 kgs of Methamphetamine; that some of the co-accused



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have been released on bail, since this Court disbelieved the arrest and seizure of contraband; and that considering the nature of allegations against the petitioner/A10 and the period of incarceration, sought for bail.

4. The learned counsel for the petitioners in Crl.OP.Nos.9704 & 9706 of 2025/A8 and A7 submitted that the petitioners were also not arrested in the manner as alleged by the prosecution and consequently, the seizure from them cannot be believed; that the prosecution had implicated all these accused by making false averments; and that considering the period of incarceration, sought for bail.

5. The learned Government Advocate (Crl. Side) reiterated the prosecution case and vehemently opposed to the grant of bail to the petitioners.

6. This Court had carefully considered the rival submissions and perused the records.

7. It is seen from the orders granting bail to the co-accused that this Court had *prima facie* found that those petitioners had satisfied the



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twin conditions under Section 37 of the NDPS Act.

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8. For instance the petitioner in Crl.O.P.No. No.7830 of 2025, [Lawrance-A9] was arrested along with the co-accused by the name Shahul Hameed-A6, according to the prosecution. But, the accused-Shahul Hameed disputed the arrest and had produced documents to show that he was taken to custody three days prior to the alleged arrest and seizure and hence, the bail was granted this Court vide order dated 11.03.2025 in Crl.OP.No.5293 of 2025.

9. Similarly, in respect of A14 and A12, bail was granted by this Court by order dated 21.03.2025 in Crl.OP.Nos.7157 and 7149 of 2025, holding that A12 and A14 were sought to be implicated on the confession of the co-accused.

10. However, in these cases, it is seen that the major portion of the contraband viz., 1.400 Kgs of Methamphetamine was seized from A1, from the godown of Sarath Kumar-A10 the petitioner in Crl.OP.No.7955 of 2025. Further from this petitioner [A10], 65gms of Methamphetamine was seized. Similarly, commercial quantity of contraband viz., 70gms of



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Methamphetamine from A7-Lakshmi Narasimhan [petitioner in
Crl.OP.No.9706 of 2025] and 86gms of Methamphetamine from A8-
Murugan [petitioner in Crl.OP.No.9704 of 2025], were seized.



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11. The grounds raised by the petitioners in these bail petitions do not satisfy the twin conditions under Section 37 of the NDPS Act and hence, this Court is not inclined to consider the bail petitions at this stage. Accordingly, these Criminal Original Petitions stand dismissed.

07.04.2025

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To

1. The Principal Special Judge, Special Court under EC and NDPS Act,
Chennai.

2. The Inspector of Police
M-1, Madhavaram Police Station,
Chennai.

3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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Pre-delivery common order in
Crl.O.P.Nos.7955, 9704 & 9706 of 2025

07.04.2025