



DATED: 24-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP Nos.12478 and 12485 of 2025

1.Subinsha Petitioner in CRL OP No.12478 of 2025

2.Rahees

Vs.

The State rep.by
The Inspector of Police,
T-1, Tambaram Police Station,
Chengalpattu District.
Crime No.680/2024. Respondent in CRL.OP Nos.12478 and 12485 of 2025

Common Prayer: Criminal Original Petitions filed under Section 483 of BNSS, to enlarge the petitioners on bail, in connection with Crime No.680 of 2024, on the file of the respondent police.

CRL OP Nos.12478 and 12485 of 2025

For Petitioners: Mr. D.Magesh

For Respondent(s): Mr.A.Gokulakrishnan
Additional Public Prosecutor

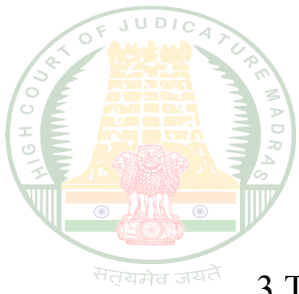


COMMON ORDER

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These Criminal Original Petitions have been filed by the petitioners/A2 & A3, who were arrested and remanded to judicial custody on 23.12.2024, seeking bail in Crime No.680 of 2024, on the file of the respondent, registered for the offence under Sections 8(c) r/w 22(c) and 29(1) of NDPS Act.

2.The contention of the petitioner is that the petitioners were travelling in a car which was intercepted and during search it was found that in total 71.87 grams of Methamphetamine has been seized. The commercial quantity is 50 grams and according to the petitioners, this commercial quantity of Methamphetamine was seized only from A1 and not from the petitioners and the petitioners only travelled in the car along with A1. The petitioners was not aware about what A1 was carrying since they are friends and wanted to visit Chennai, they had come in the car along with A1 and now they are in prison. Now the investigation has been completed and charge sheet was also filed, which was taken on file in C.C.No.338 of 2025. Hence, further incarceration of the petitioners is not required.



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3.The learned Government Advocate (Crl.side) appearing for the respondent police strongly opposed the petitioners' contention that the petitioners are hailing from the State of Kerala and they were travelling in the car jointly and the car was intercepted and during search it was found that in total 71.87 grams of Methamphetamine has been seized which is the commercial quantity. The petitioners are unable to give any reason and explanation for carrying Methamphetamine. As regards A2, he had earlier filed a bail application before this Court in Crl.O.P.No.3764 of 2025 and the same was dismissed on 20.03.2025. As regards A3, he had earlier filed a bail application before this Court in Crl.O.P.No.3547 of 2025 and the same was dismissed as withdrawn on 24.02.2025. Again the petitioners have filed a bail application in Crl.O.P.No.7673 of 2025 and the same has been dismissed on 20.03.2025. Hence, there is no change of circumstances and this Court had already considered the petitioners' plea on merits and dismissed.

4.It is seen from the FIR and the counter that all the four accused were travelling in the same car and the total quantity seized from all of them is 71.87



grams, though separate seizures were made from each of the accused.

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5. Considering the aforesaid facts and circumstances, that the investigation has been completed and the charge sheet filed and the same is taken on record in C.C.No.338 of 2025, this Court is of the view that rigors of Section 37 of the NDPS Act, would be applicable and the petitioners have not satisfied the twin conditions under Section 37 of the NDPS Act. Hence, this Court is not inclined to entertain these petitions.

6. Accordingly, the Criminal Original Petitions stand dismissed. This Court directs the trial Court to complete the trial within a period of nine months from the date of receipt of a copy of this order.

24-06-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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- 1.The Inspector of Police,
T-1, Tambaram Police Station,
Chengalpattu District.
- 2.The Judicial Magistrate No.1,
Tambaram.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.
- 4.The Central Prison, Puzhal, Chennai.



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M.NIRMAL KUMAR J.

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12485 of 2025**

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