



WEB COPY

CRL OP No. 12050 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 12050 of 2025

Anvarbhai Mulhani @ Anvar

Petitioner

Vs

The State By The State of Tamil Nadu
The Inspector of Police
Ambur Police Station,
Crime No.354/2023.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in
Spl.C.C.No.135/2024, pending trial on the file of the special Court for
EC/NDPS Act cases, Salem.

For Petitioner(s): M/s.S. Sengkodi

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

**ORDER**

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The petitioner, who was arrested and remanded to judicial custody on 05.12.2023, for the offence punishable under Sections 8(c) r/w 20(b)(ii) (C) of N.D.P.S.Act, in connection with Crime No.354 of 2023, registered on the file of the respondent, seeks bail.

2.The prosecution alleges that on 05.12.2023, the petitioner was found with 40 kgs of ganja (divided into four packets of 10 kgs each) in two bags near Vellore to Ambur bus stop. The petitioner was arrested, and a case was registered under the NDPS Act.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that there is no previous case pending against him and the petitioner is in custody from 05.12.2023 and the investigation has been completed and also the charge sheet and the same is taken on file in Spl.C.C.No.135 of 2024 on the file of the Special Judge for EC & NDPS Act



Cases, Salem. Hence, he seeks for grant of bail to the petitioner.

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4. The respondent has filed a detained counter.

5. The learned Additional Public Prosecutor for the respondent would submit that it is a case where the petitioner was intercepted and the contraband of 40 kgs of ganja has been recovered, which is a commercial quantity and the petitioner is hailing from the state of Gujarat and if the petitioner is granted bail there is every possibility of the petitioner to flee away from the country. He would also submit that the investigation has been completed and the charge sheet has also been filed and taken on file in Spl.C.C.No.135 of 2024 on the file of the Special Judge for EC & NDPS Act Cases, Salem. He further submit that the respondent will be able to complete the trial within a period of six months and he further submit that the petitioner has not satisfied the condition required under Section 37 of the NDPS Act for grant of bail. Hence, he vehemently opposed for the grant of bail to the petitioner.

6. Considering the facts and circumstance of the case and also of the fact



that it is a case of sole accused where the petitioner was arrested for having found in possession of 40 kgs of ganja, which is a commercial quantity and the petitioner is also a Gujarat State, this Court is of the opinion that the petitioner has not satisfied with the condition under Section 37 of the NDPS Act for grant of bail. Hence, this Criminal Original Petition is dismissed.

7. However, the learned Trial Judge is directed to complete the trial within a period of six months from the date of receipt of copy of this order.

24-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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- 1.The State By The State of TN
The Inspector of Police,
Ambur Police Station,
Crime No.354/2023.
- 2.The Special Court for EC/NDPS Act
cases, Salem.
- 3.The Central Prison, Salem.
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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