



Crl.O.P.No.14206 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Reserved on: 01.09.2025

Delivered on: 15.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.14206 of 2025

T.Sathish Kumar,
S/o.Thiyagaraja,
C-5, Doffald Apartments,
Kannagi Nagar, Okkiyam Thoraipakkam,
Chennai – 600 097. ... Petitioner/Accused No. 2

/versus/

Union of India Rep. by:-
Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit,
Chennai. ... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 483 of B.N.S.S., pleaded to enlarge the petitioner on bail pending trial in C.C.No.226 of 2022 in R.R.No.06 of 2022 in NCB F.No.48/1/02/2022-NCB/MDS on the file of I Additional Special Court for Exclusive Trial of cases under NDPS Act, Chennai.

For Petitioner : Mr.T.S.Sasi Kumar.

For Respondent : Mr.N.P.Kumar,
Special Public Prosecutor (NCB)



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ORDER

The petitioner, who arrested and remanded to judicial custody on 09.02.2022 for the offences punishable under Sections 8(c) read with 22(c), 27, 28 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, in R.R.No.06 of 2022, registered on the file of the respondent, seeks bail.

2. This is the third bail application filed by the petitioner, who is arrayed as A2 in C.C.No.226 of 2022. The petitioner was arrested on 09.02.2022 in connection with the seizure of 11 Kgs of *Methamphetamine*.

3. The case of the prosecution is that on 07.02.2022, based on specific information, a truck bearing Reg.No.TN-18-AD-1478 was intercepted and contraband was seized from the vehicle, which was driven by Sivanantham (A1). The present petitioner was arrested subsequently based on the information furnished by A1. It is alleged that the petitioner has stood as a mediator for the purchase of *Methamphetamine* for commission.

4. The Learned Counsel for the petitioner submits that the petitioner has been falsely implicated in this case. Even according to the prosecution, the



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contraband was seized from the truck driven by A1. It is further stated that the contraband was escorted by A5, who was following the truck in a passenger bus. Insofar as this petitioner is concerned, except the confession statement of the co-accused, there is no incriminating material been seized from him.

5. The earlier two bail petitions were dismissed since the investigation not been completed. As a change in circumstance, it is submitted that the investigation already been completed and the trial has commenced. Further, most of the co-accused were already been granted bail. Therefore, the Learned Counsel prays that the petitioner may also enlarge on bail.

6. The Learned Special Public Prosecutor appearing for the respondent/NCB oppose grant of bail, stating that the petitioner has played pivotal role in clandestine transport of 11 Kgs of *Methamphetamine* from Guwahati to Chennai and thereafter, onwards transportation to Sri Lanka. It is further submitted that since the trial has already commenced, if the petitioner is released on bail at this juncture, there is possibility of his abscondence and tampering the evidence.



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7. The call details of this petitioner and other accused, during the period of seizure of the contraband been tabulated in the counter to show that the close proximity between the accused persons in hatching the conspiracy of committed the crime of transporting *Methamphetamine*, a prohibited psychotropic substance, from Guwahati to Sri Lanka via Chennai. It is contended that the overwhelming material collected against the petitioner discloses his active involvement in the trafficking of the drug under seizure. To give a reasonable belief that the accused is very well guilty of the offence of transporting commercial quantity of psychotropic substance. Hence, the twin conditions prescribed under Section 37 of NDPS Act are not satisfied in this case.

8. This Court, on perusal of the records and the counter, finds that there is enough incriminating material against this petitioner implicating him in connection with the seizure of 11 Kgs of *Methamphetamine* from A1. No doubt some of the accused were granted bail in this case for specific reasons. However, Section 37 of NDPS Act clearly imposes bar for grant of bail if there is reasonable belief that the petitioner has committed an offence under Section 22(c) of NDPS Act, which refers to commercial quantity of psychotropic



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substances and the close connection of this petitioner with the other drug offenders further provides every possibility of committing the offences again if released on bail.

9. Accordingly, this Court is not inclined to entertain the bail petition and the same stands dismissed.

10. In the result, this Criminal Original Petition is dismissed.

15.09.2025

bsm

To,

1. The I Additional Special Court for Exclusive Trial of Cases under NDPS Act,
Chennai.
2. The Intelligence Officer, Narcotics Contral Bureau, Chennai Zonal Unit,
Chennai.
3. The Central Prison 2, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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Dr. G.JAYACHANDRAN, J.

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Pre-delivery order made in
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