



Crl.O.P.No.18260 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18260 of 2025

S.Balaji

.. Petitioner

Vs.

State rep. by
The Inspector of Police
D4 Zambazaar Police Station
Triplicane, Chennai.
Crime No. 140 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.140 of 2025 on the file of the Inspector of Police, D-4, Zambazaar Police
Station, Triplicane, Chennai.

For Petitioner : Mr.N.K.Arulmuruganandham

For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
24.05.2025, for the offence punishable under Sections 8(C), 20(b)(ii)(B) of
NDPS Act, 1985 in connection with Crime No.140 of 2025, registered on the
file of the respondent, seeks bail.



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2. The case of the prosecution is that when the respondent police was on patrol duty, they found that the petitioner was in illegal possession of 1.450 Kgs of Ganja. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in no way connected with the alleged offence, however, he is suffering incarceration from 24.05.2025. It is the contention of the petitioner that petitioner was taken by the respondent police on 24.05.2025 at about 6.00am from Perambur railway station for which his counsel has sent an online complaint for unlawful detention to the respondent police at about 7.30am but in this case, the petitioner was shown as how he was arrested at about 10.30 am alleging that he was in illegal possession of 1.450 kgs of Ganja. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



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4. Learned Government Advocate (Crl.side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that the petitioner was found to be in illegal possession of 1.450 Kgs of Ganja. He submits that there are 13 previous cases pending against the petitioner out of which one case is registered under NDPS Act and one is registered under Section 302 of IPC.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, this Court is of the view that the contentions of the petitioners are factual in nature which cannot be decided at this stage. The petitioner has to necessarily place all relevant materials before the Trial Court during the course of the trial. It is noted that the petitioner had not made any such complaint before the Magistrate Court when he was remanded. Furthermore, in the light of the fact that 13 previous cases are pending against the petitioner and he has also been detained under Tamil Nadu Act 14 of 1982 (Goondas Act), this Court is not inclined to grant bail to the petitioner.



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7. Accordingly, the criminal original petition stands dismissed.

30.06.2025

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To

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

2.The Inspector of Police
Kundrathur Police Station
Kancheepuram District

3. The Superintendent,
Central Prison, Cuddalore.

4. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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