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Crl.O.P.No.18448 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS_

Dated:14.08.2025

Coram

THE HONOURBLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.18448 of 2025

Tamilselvan(Aged about 36 years)

Son of Mani

D.No.2/103, Velliangadu

Karamadai

Now at,

Kaviya Garden

Kanuvaipalayam Karamadai

Mettupalayam(T.K.)

Coimbatore.

..Petitioner/Accused No.1

/versus/

The State rep.by

The Inspector of Police,

Karamadi Police Station

Coimbatore.

(Crime No.52/2025)

..Respondent/Complainant

Criminal Original Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS)Act, 2023, to enlarge the petitioner on bail in Crime No.52 of 2025 on the file of the respondent police.

For Petitioner

:Mr.N.U.Pressanna

For Respondent

:Mr.L.Baskaran

Govt.Advocate(Crl.Side)



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ORDER

The petitioner herein, who was arrested and remanded into judicial custody on 25.01.2025 for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(c), 25 and 29(1) of NDPS Act 1985 in Crime No.52 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is alleged to have transported the banned ganja from Karnataka to Tamil Nadu in Mahindra Jeep and two wheeler. Based on the specific information received, the vehicles were intercepted and three bags of ganja were recovered from the possession of the accused persons.

3. The learned counsel appearing for the petitioner submitted that this petitioner, Tamilselvan, the first accused, was driving Mahindra Jeep and two bags, totally 21 kgs of ganja, alleged to have been recovered and from the petrol tank pouch of the two wheeler Royal Enfield vehicle, 4 kgs of ganja were seized. The said two wheeler alleged to have been driven by A2.



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4. The learned counsel appearing for the petitioner submitted that the petitioner had no conscious possession of the contraband and the petitioner is medically ill and undergoing treatment in the prison hospital, his bail may be considered sympathetically.

5. The respondent police has filed a counter stating that the petitioner had transported a commercial quantity of ganja in his Mahindra Jeep bearing Reg.No. TN 43 A 7538 and that his possession was a conscious possession. His confession has been disclosed, where he purchased the contraband and where he intended to supply it.

6. The learned Government Advocate (Crl.Side) states that the petitioner complained of respiratory problems and has been taken care of in the prison hospital and if necessary, he will be referred to the Headquarters hospital for necessary treatment. Further, he submitted that as far as this petitioner is concerned, there are three cases pending against him in which one of which is relates to trafficking of narcotic drugs and the same is under investigation by the respondent police.



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7. In the light of the fact that 21 kgs of ganja have been recovered from the possession of the petitioner herein, who was consciously transporting it in the Mahindra Jeep and since the said quantity is classified as commercial quantity, this Criminal Original Petition stands dismissed, in view of Section 37 of Narcotic Drugs and Psychotropic Substances Act, 1985.

14.08.2025

Index:yes/no

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To

1.The Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore.

2.The The Inspector of Police, Karamadai Police Station, Coimbatore.

3.The Central Jail, Coimbatore.

4.The Public Prosecutor, High Court, Madras.



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DR.G.JAYACHANDRAN,J.

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