



Crl.O.P.Nos.18687, 15602 and 15631 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on :03.09.2025

Pronounced on :15.09.2025

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THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.Nos.18687, 15602 and 15631 of 2025

Crl.O.P.No.18687 of 2025:

Krishnakand, M/34 years,
S/o Venugopal,
Door No.13,LMS Street,
P.N.Puram,
Coimbatore.

..Petitioner/Accused No.3

/versus/

State rep.by
The Inspector of Police,
R.S.Puram Police Station,
Coimbatore City,
(Crime No.155 of 2025)

..Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending
investigation in Crime No.155 of 2025 on the file of the Inspector of Police,
R.S.Puram Police Station, Coimbatore.

For Petitioner :Mr.C.Rajan



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For Respondent

:Mr.A.Gopinath
Govt.Advocate (Crl.Side)

Crl.O.P.No.15602 of 2025

Vinayagam, M/34 years,
S/o Chakravarthy,
21A, Ammankoilpathy Gramam,
Uthankarai Taluk,
Krishnagiri District,
Presently residing at
III Cross Valluvar Street,
Nethaji Nagar,
Ramanathapuram,
Coimbatore.

..Petitioner/2nd Accused

/versus/

State rep.by
The Inspector of Police,
R.S.Puram Police Station,
Coimbatore.
(Crime No.155 of 2025)

..Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail, pending
investigation in Crime No.155 of 2025 on the file of the respondent police.

For Petitioner

:Mr.G.Gubendhiran

For Respondent

:Mr.A.Gopinath
Govt.Advocate (Crl.Side)

Crl.O.P.No.15631 of 2025



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M.Mahavishnu, M/28 years,
S/o Murugesan,
No.5/15E, Police Quarters,
Siddhapudhur,
Coimbatore 641 044.

..Petitioner/Accused No.4

/versus/

StateRep.by
The Inspector of Police,
R.S.Puram Police Station,
Coimbatore City,
(Crime No.155 of 2025)

..Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, for enlargement of the petitioner on bail pending investigation of Crime No.155 of 2025 on the file of the respondent police.

For Petitioner :Mr.C.Ravichandran
For Respondent :Mr.A.Gopinath
Govt.Advocate (Crl.Side)

COMMON ORDER

The petitioners, who were arrayed as A-2, A-3 and A-4, were arrested on 28.03.2025 in connection with seizure of 92.43 grams of cocaine, 36.87 grams of MDMA powder, 1620 grams of green ganja, 1680 grams of kushganja, 1016 grams of ganja and 122 bottles of alcohol. These petitioners



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along with Manikandan alleged to have transported the above said Narcotic and Psychotropic Substances in two Cars bearing Registration Nos:TN 66 S 4092 and TN 99 AD 2499.

2. Vinayagam, who is arrayed as A-2 and the petitioner in Crl.O.P No:15602 of 2025 claims that he is the driver of the car bearing registration No:TN 99 AD 2499. The first accused Manikandan is the owner of the car. He seeks bail on the ground that nothing was recovered from him or in the car which he was driving. Only based on the confession of the other accused he is implicated as an accused.

3. Krishnakand, who is A-3 and the petitioner in Crl.O.P.No:18687 of 2025 claims that this is a false case in which he is implicated along with A-1 Manikandan and others. He is an innocent person and nothing was recovered from his possession.

4. Mahavishnu, who is A-4 and the petitioner in Crl.O.P. No:15631of 2025 claims that he is an innocent person pursuing higher studies. He had been falsely roped in this case without any incriminating



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material except the confession statement of the co-accused.
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5. The Inspector of Police had filed counter opposing grant of bail.

According to the counter, on 27.03.2025 at about 6.00 a.m on receipt of information about illegal transport of Narcotic Substances near Flower Market, Mettupalayam Road, two cars bearing Registration Nos:TN 66 S 4092 and TN 99 AD 2499 were intercepted and the occupants of the cars were interrogated. In the vehicle, 92.43 grams of cocaine, 24.40 grams of MDMA tablets, 1620 grams of green ganja, 1680 grams of kushganja, 1016 gams of dry ganja and Methamphetamine powder 12.47 grams were found in their possession. These petitioners, who were the occupants of the cars, were in joint and conscious possession of the contraband. Case in Crime No.155 of 2025 registered for offences under Sections 8 (c) r/w 20 (b)(ii)(B), 22 (b), 22(c), 25, 29(1) of NDPS Act and Sections 4 (1)(a) and (C) of The Tamil Nadu Prohibition (Amendment) Act, 2024.

6. Heard the learned counsel appearing for the respective petitioners.



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7. The contraband seized from these petitioners falls under commercial quantity. They are held for joint possession and conspiracy to transport Narcotic Drugs of commercial quantity. Three more accused involved in this case yet to be secured. The investigation also not yet completed.

8. The scheme of Section 37 of the NDPS Act envisages that the exercise of power to grant bail is not only subject to the limitations contained under Section 439 of of the Cr.P.C, but is also subject to the limitation placed by Section 37 of NDPS Act, which commences with non-obstante clause. The operative part of the said Section is in the negative form prescribing the enlargement of bail to any person accused of commission of an offence under the Act, unless twin conditions are satisfied. The first condition is that the prosecution must be given an opportunity to oppose the application; and the second is that, the Court must be satisfied that there are reasonable grounds for believing that he is not guilty of such offence. If either of these two conditions is not satisfied, the ban for granting bail operates.

9. The facts of the case attracts the embargo for granting bail.



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Hence, these Criminal Original Petitions for bail stands dismissed.

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate No.1, Coimbatore.
- 2.The Inspector of Police, R.S.Puram Police Station, Coimbatore City.
- 3.The Central Prison, Coimbatore.
- 4.The Public Prosecutor, High Court of Madras.

Dr.G.JAYACHANDRAN, J.

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delivery Common Order made in
Crl.O.P.Nos.18687, 15602 and 15631 of 2025

15.09.2025