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Crl.R.C No.1239 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.08.2025

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C No.1239 of 2025

V. Ganesan

... Petitioner

..Vs.

State Rep.by
The Inspector of Police,
K-8, Arumbakkam Police Station,
Chennai.
Cr.No.613 of 2024

... Respondent

Prayer: This Criminal Revision Petition is filed under Section 438 read with 442 of BNSS Act, 2023, to set aside the order passed in Crl.M.P.No.4120 of 2025 dated 08.07.2025 on the file of the Principal Special Judge under EC & NDPS Act, Chennai.

For Petitioner : Mr.M.G.Martinmanivannan

For Respondent : Mr.A. Gopinath
Government Advocate (Crl.Side)



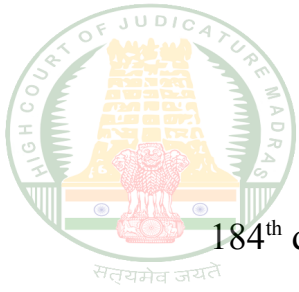
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ORDER

This criminal revision has been filed as against the order passed in Crl.M.P.No.4120 of 2025 dated 08.07.2025 on the file of the Principal Special Judge under EC & NDPS Act, Chennai, thereby dismissed the application for default bail under Section 187 (2) of BNSS Act 2023.

2. The petitioner is arrayed as the second accused in Crime No.613 of 2024 registered for the offences punishable under Sections 8(c) r/w 22(c), 25 & 29(1) of NDPS Act and thereafter, altered the provisions under Sections 8(C) r/w 22(b), 22(C), 29(1), 20 (b) (ii) (A) of NDPS Act and 25(1A), 25 (1B) (a) of Arms Act. Totally there are 29 accused. The petitioner filed an application for default bail on 03.07.2025. The respondent filed incomplete charge sheet on the 178th day from the date of the petitioner's custody. Therefore, the respondent was given 3 days time to file the completed charge sheet. Accordingly, on 02.07.2025 i.e. 183rd day, from the date of the petitioner's custody, completed charge sheet was filed and it was taken cognizance in C.C No.570 of 2025 by the trial Court/II Additional NDPS Court, Chennai. However, the petitioner has filed an application for default bail only on 03.7.2025 i.e



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184th day of his custody. Therefore, on the date of filing the application for default bail, the petitioner did not have any right to file a petition for default bail. So, the trial Court has rightly dismissed the petition for default bail and there is no infirmity or illegality in the order passed by the trial Court.

3. Accordingly, this criminal revision case is dismissed. However, the petitioner is at liberty to approach the trial Court for regular bail.

13.08.2025

Index: Yes/No
Internet: Yes/No
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To

1. The Inspector of Police,
K-8, Arumbakkam Police Station,
Chennai.
2. The Principal Special Judge under EC & NDPS Act,
Chennai.
3. The Public Prosecutor,
High Court of Madras, Chennai.

G.K.ILANTHIRAIYAN,J

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