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Crl.OP.No.23568 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2025

CORAM:

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.23568 of 2025

Kumar

... Petitioner

Vs.

State Rep by
The Inspector of Police,
NIB-CID Police Station,
Salem District.

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in connection with Cr.No.100 of 2025 on the file of the respondent police.

For Petitioner : Mr.C.Deepak Kumar

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 26.03.2022 for the alleged offences punishable under Sections 8(c), r/w 20(b)(ii)(C), 25 and 29(1) of NDPS Act, r/w Section 468, 471, 429 r/w 34 of IPC in Spl.CC.No.115 of 2022 on the file of the Special Court for EC and NDPS Act, Salem Crime No.56 of 2025 on the file of the respondent police seeks bail.

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2. The allegation against the petitioner is that this petitioner joining hands with other accused involved in transportation of 244 kgs of ganja (commercial quantity) in a Tavera Car which was given by this petitioner herein on Karur-Salem By-pass road at Salem.

3. The learned counsel for the petitioner submitted that the petitioner was driver by profession and he was not aware about the ganja being transported by the other passengers and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he seeks grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the contraband seized is 244 kgs of ganja (commercial quantity) which itself is sufficient that the petitioner is having knowledge about the transportation. Apart from that, there are materials that he is the one driven the car and others and same gang members of the petitioner herein. He further submitted that no grounds to satisfy the Section 37 of NDPS Act is made out. He further submitted that final report has been filed and the same has been taken on file in Spl.CC.No.115 of 2022 on the file of the Special Court for EC and NDPS Act, Salem. Hence, he vehemently opposed the grant of



bail to the petitioner.

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5. I have heard both sides and perused the materials available on record.

6. Though it is stated that the petitioner is a car driver, the quantity of contraband involved in this case is 244kgs of ganja is sufficient to hold that without the petitioner's knowledge, contraband could not be loaded in the vehicle. The petitioner is a Driver and it is also stated that the petitioner is known to all the passengers and all colluded and transported the same for the purpose of sale. Section 37 of NDPS Act is applicable to the petitioner and no grounds is made out to satisfy the same.

7. In view of the above discussion, I am not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

24.11.2025

Vv



Crl.OP.No.23568 of 20__

To

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- 1.The Special Judge for EC and NDPS Act Cases, Salem.
- 2.The Inspector of Police,
NIB-CID Police Station,
Salem District.
- 3.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR,J.

Vv

Crl.O.P.Nos.23568 of 2025

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