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CRL OP No. 24942 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 24942 of 2025

1. Sanjay Khan

Son of Ismath Basha, No.5/3,
Chinnathambai Street, Chennai - 600
005.

Petitioner(s)

Vs

1. Union of India through
Narcotic Control Bureau, Through JR.
Intelligence Officer, NCB, Chennai
Zonal Unit, Chennai.

Respondent(s)

PRAYER

To grant bail to the petitioner pending in trial in CC.No.516 of 2024 on the file of Principal Special Court (NDPS Court, Chennai).

For Petitioner(s): V.Ramamurthy
K.Malathi
B.Ramprasad
R.Vijay Kumar

For Respondent(s): Mr N.P. Kumar, Spl Pp



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.11.2023 for the alleged offence under Sections 8(c) r/w. 22(c), 23(c), 27(A), 28 and 29 of NDPS Act, 1985 in C.C.No.516 of 2024 on the file of the Principal Sessions Court, Chennai seeks bail.

2. This Court by order dated 01.07.2025 in CrI.O.P.No.10522 of 2025 dismissed the bail application filed by the petitioner by considering the merits of the claim in detail. It is also recorded that, as per an earlier order, there was no change in circumstances.

3. When the present petition was taken up today, the learned counsel for the petitioner submitted that there was an order passed in the year 2024 directing the trial Court to take samples from the contraband recovered and send the same to the Chemical Analysis Report. He further submitted that Chemical Analysis Report is yet to be received and since contra band seized itself is not conclusively established as stated by the prosecution, he is entitled for bail and accordingly, prays to grant bail to the petitioner.



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4. I am not able to convince the said submissions, since the respondent has filed complaint before the trial Court in the year 2024 by stating that contra band seized from the petitioner herein is Methamphetamine and quantity seized from the petitioner is also commercial quantity. After some time, the petitioner herein filed petition before the trial Court seeking sending the samples for further examination that was dismissed by the trial Court and Crl. R.C is filed in Crl.R.C.No.1123 of 2024 and this Court allowed the prayer to send it for examination to Central Forensic Laboratory, Chennai. The same is yet to be awaited.

5. Be that as it may. The quantity seized from the petitioner herein is a commercial quantity, this Court is of the view that seizure has been effected and it prima facie established and Section 37 of NDPS Act is to be satisfied for granting bail to the petitioner herein, and the same is not established by the petitioner. If the Commercial Analysis Report in comes in favour of the petitioner herein, he can workout his remedy after receiving the same. I am not inclined to grant bail to the petitioner.



6. Accordingly, this Criminal Original Petition is dismissed.

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Mpa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Principal Special Court, (NDPS Court), Chennai.

2. Union of India through

Narcotic Control Bureau, Through JR.

Intelligence Officer, NCB, Chennai

Zonal Unit, Chennai.

3. The Public Prosecutor

High Court of Madras.



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K.RAJASEKAR J.

mpa

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