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Crl.O.P.No.3129



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31296 of 2025

V.Balasubramaniyan

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
Prohibition Enforcement Wing,
Thiruvallur & District.
(Crime No.38 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023,
pleaded to enlarge the petitioner on bail in Crime No.38 of 2025 pending on the
file of the respondent police.

For Petitioner : Mr.R.Sivaraman

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

ORDER



The petitioner, who was arrested and remanded to judicial custody on 22.06.2025, for the alleged offence punishable under Section 8(c), 20(b)(ii)(C), and 29(1) of NDPS Act, 1985 in Crime No.38 of 2025 on the file of the respondent police, seeks bail.

2. Earlier this Court dismissed the bail application in Crl.OP.No.25247 of 2025 dated 06.10.2025 for the following reasons.

“4. Considering the facts and circumstances of the case, the quantity of contraband involved in this case is of commercial quantity and the fact that the investigation of this case is pending, this Court is not inclined to grant bail to the petitioner.”

3. The learned counsel for the petitioner submitted that earlier bail petition was dismissed without hearing the petitioner herein. He further submitted that the FIR itself is a concocted one and that the petitioner hails from Trichy, had no necessity to travel to Tiruvallur. He further submitted that the petitioner is in judicial custody from 22.06.2025. Hence, he prays to grant bail to the petitioner.

4. This Court has considered the submissions made by the learned



counsel for the petitioner and perused the materials available on record.

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5. Admittedly, the contraband seized in this case is of commercial quantity, and therefore the rigors of Section 37 of the NDPS Act is applicable to the case of the petitioner and that the case is under investigation. Unless the twin condition prescribed under Section 37 is satisfied, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is dismissed.

17.11.2025

drl

To

1.The Inspector of Police,
Prohibition Enforcement Wing,
Thiruvallur & District.

2.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

drl

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