



WEB COPY

Crl.O.P.No.2973



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.29734 of 2025

Dhanalakshmi

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
Veeranam Police Station,
Salem City.

(Crime No.475 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023,
pleased to enlarge the petitioner on bail in Crime No.475 of 2025 pending on the
file of the respondent police.

For Petitioner : Mr.R.Thamaraiselvan

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

ORDER



The petitioner, who was arrested and remanded to judicial custody on 08.09.2025, for the alleged offence punishable under Section 8(c), 20(b)(ii)(C) & 29(1) of NDPS Act, 1985 in Crime No.475 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that, he arrayed as A3, joined hands with other accused in the transportation, possession and sale of 20.434 kilograms of ganja. It is alleged that after selling a portion of the contraband at the Salem bus stand, the remaining contraband was handed over to A1 and A2. While A1 and A2 were transporting the said contraband, they were caught by the police. Based on their confession statements, the petitioner was implicated as an accused. Hence, the complaint.

3. The learned counsel for the petitioner submitted that only 250 grams of ganja were recovered from the petitioner. The petitioner is in judicial custody from 08.09.2025. He further submitted that Section 37 of the NDPS Act is not applicable in the case of the petitioner. He further submitted that though the petitioner has two previous cases pending against him, those cases relate only



to offences under the IPC. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that there are four accused in this case and the petitioner is ranked as A3 and he is the main accused. He further submitted that the petitioner used to purchase ganja from Andhra Pradesh and distribute the same to the local public. In the present case, 20 kgs of ganja were seized and the statements have also recorded and that the investigation is still pending. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the fact that the quantity seized is 20.434 kgs of ganja, which is a commercial quantity, Section 37 of the NDPS Act is applicable. However, though no recovery was made from the petitioner, the statements recorded from the arrested accused reveals that he actively participated in the transportation of the commercial quantity. Hence, Section 37 of the NDPS Act is applicable to the case of the petitioner. Since the investigation is pending, this



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Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

17.11.2025

drl

To

1.The Inspector of Police,
Veeranam Police Station,
Salem City.

2.The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.

drl



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