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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2025

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THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.29736 of 2025

Silu Chhinchani

... Petitioner

Versus

State rep. by

The Inspector of Police,

PEW Tambaram Unit Police Station,

Chennai District.

(Crime No.52 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on bail in Crime No.52 of 2025 on the file of the respondent police.

For Petitioner : Mr. A.Tamilselvan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on



08.04.2025, for the alleged offence punishable under Sections 8(c), 20(b)(ii)(C) of NDPS Act, 1985 in Crime No.52 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 08.04.2025 at about 17.15 hours, when the respondent police intercepted the petitioner, he was found in possession of 22 kilograms of ganja (commercial quantity). The respondent police seized the contraband along with his mobile phone. Hence, the complaint was lodged, and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner hails from the State of Assam and has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody since 08.04.2025 and that there is no progress in the trial. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner



was found in possession of 22 kgs of ganja, which is a commercial quantity, and therefore the rigors under Section 37 of the NDPS Act are applicable.

He further submitted that no grounds have been made out to satisfy the twin conditions under Section 37, and hence he opposed the grant of bail to the petitioner.

5. This Court, on perusal of the FIR and other connected records, finds that it is alleged that the petitioner was found in possession of 22 kgs of ganja, which is a commercial quantity.

6. Considering the above facts, the submissions made by the learned counsel on either side, the fact that the contraband involved is of commercial quantity, and the requirement to satisfy the twin conditions under Section 37 of the NDPS Act which remain unsatisfied and though the petitioner is in judicial custody for more than 234 days, and the investigation is recently concluded and the final report filed and the case is pending for framing of charges, this Court is not inclined to grant bail to the petitioner.



7. Accordingly, this Criminal Original Petition is dismissed.

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To

1 The Inspector of Police,
PEW Tambaram Unit Police Station,
Chennai District.

2.The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.



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