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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.29972 of 2025

Sarath Babu

Petitioner(s)

Vs

The State Represented by
Inspector of Police,
Town Police Station,
Karaikal, Puducherry.
Crime No.200 of 2025.

Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.200 of 2025 on the file of the respondent police.

For Petitioner(s):

Mr.R.Muruga Bharathi

For Respondent(s):

Mr.K.S.Mohandass

Public Prosecutor (Puducherry)



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ORDER

The petitioner who was arrested and remanded to judicial custody on 03.08.2025 for the offences punishable under Sections 20(b)(ii)(c), 24 of the NDPS Act, 1985 and Section 14A of the Foreigners Act, 1946 and 3(3) of the Passport Act, 1920, in Crime No.200 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, based on the secret information, the respondent police went to the scene of occurrence and found that the petitioner along with other accused persons involved in illegal transportation of 350 kgs of ganja, being transported from Andhra Pradesh to Tamil Nadu, then to Karaikal, and subsequently to Sri Lanka. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case based on the confession of A1. Even in the said confession, it is merely alleged that the petitioner used to purchase ganja from A3 and admittedly the petitioner is not involved in transportation of ganja seized in this case. He further submitted that the co-accused was released on



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bail by this Court. He further submitted that the petitioner has been in judicial custody since 03.08.2025. Hence, he prayed for grant of bail to the petitioner.

4. The learned Public Prosecutor (Puducherry) appearing for the respondent police reiterated the prosecution case, and upon instructions, submitted that the petitioner is also part of a network operating from Andhra Pradesh to Sri Lanka, involved in the possession, transportation, and sale of ganja. He further stated that, after completion of the investigation, the final report has been filed and since the quantity involved is of commercial nature, the provisions of Section 37 of the NDPS Act are applicable. Hence, he strongly opposed to grant bail to the petitioner.

5. I have also carefully gone through the FIR.

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by learned counsels on either side, considering the serious allegation of 350 kgs of ganja being transported which is of commercial quantity and this petitioner being identified as master mind and directly involved in transportation, possession and



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rigors of Section 37 of NDPS Act is applicable against him. The other co-accused released on bail since he was not involved in transportation or possession of the contraband seized in this case and same grounds are not applicable to the petitioner herein. Hence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

04-11-2025

drl

To

1.The Inspector of Police,
Town Police Station,
Karaikal, Puducherry.

2.The Public Prosecutor
Puducherry.



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K.RAJASEKAR, J.,

drl

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