



WEB COPY

Crl.O.P.No.30993 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.30993 of 2025

V. Lakshmananan

... Petitioner/ Accused

Vs

Union of India rep. By,
The Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit, Chennai.
(NCB F.No.48/102/2022 NCB/MDS)

... Respondent

PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in C.C.No.226 of 2022 in R.R.No.06 of 2022 in NCB F.No.48/102/2022 NCB/MDS on the file of the I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai.

For Petitioner(s) : Mr. C.H. Srikanth

For Respondent(s) : Mr. N.P. Kumar
Special Public Prosecutor

ORDER



WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 09.02.2022 for the offences punishable under Sections 8(c) r/w. 22(c), 27A, 28 and 29 of NDPS Act in C.C.No.226 of 2022 in R.R.No.06 of 2022 in NCB F.No.48/102/2022 NCB/ MDS on the file of the I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai, seeks bail. The earlier bail application of the petitioner herein was dismissed by this Court, vide order dated 15.09.2025 in Crl.O.P. No.10038 of 2025.

2. The case of the prosecution is that, A1 in this case have illegally transported 11 kilograms of Methamphetamine in a truck bearing Reg.No.TN-18-AD-1478 from Moreh via Guwahati to Chennai; that upon investigation, it is revealed that the petitioner had funded the accused for the purchase of the aforesaid contraband; that thereby, the petitioner was arrested on 09.02.2025 and he has been arrayed as A4 in C.C.No.226 of 2022 on the file of the I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case, only based on the confession of the co-accused and apart from that there is no other materials



to connect the petitioner herein with the seized contraband and he also relied on the counter filed by the respondent to show that the petitioner has been included as a conspirator; that the petitioner is in judicial custody since 09.02.2022; that the similarly placed co-accused/ A3, A6 and A7 were granted bail by this Court in Crl.O.P.Nos.22456 of 2022, 3946 of 2025 and 530 of 2024, respectively; and that the petitioner is ready to abide by any condition that may be imposed by this Court, hence prays to grant bail to the petitioner.

4. The learned Special Public Prosecutor appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and submitted that the prosecution witnesses were examined and the case is posted for questioning the accused under Section 313 of Cr.P.C, at that point of time, the petitioner had filed recall petition to cross examine the prosecution witnesses, hence the petitioner is not co-operating for the trial and to complete the same.

5. I have considered the submissions made on both sides and perused the materials available on record. Though, the learned counsel for the petitioner relied on the bail order granted to the similarly placed co-accused/ A6 by this Court, vide order dated 16.04.2025 in Crl.O.P.No.3946



of 2025, the same was not taken into account by this Court while dismissing the earlier bail application of the petitioner, vide order dated 15.09.2025 in Crl.O.P.No.10038 of 2025. Further, this Court in the aforesaid order dated 15.09.2025 had elaborately considered the various submissions made by the learned counsel for the petitioner herein and declined to grant bail to the petitioner herein on the following observations:

“12. This Court, on considering the objection raised by the Learned Special Public Prosecutor and the judgment of the Hon'ble Supreme Court regarding grant of bail in cases of NDPS offences involving commercial quantity, as well as the bail orders granted to some of the co-accused for various reasons, is of the view that, insofar as this petitioner is concerned, he has been actively involved in the crime right from procuring the contraband from Guwahati and transporting it to Chennai, as a conduit for the transfer of money.

13. There is a reasonable belief that this petitioner has involved in the crime of drug trafficking involving commercial quantity. Hence, In view of the statutory bar under Section 37 of NDPS Act, bail cannot be granted, when there is a reasonable belief that the petitioner has committed offences punishable under Sections 8(c), 22(C), 25, 27A, 28 and 29 of NDPS Act.”

6. Considering the above reasons stated by this Court in the earlier dismissal order of the petitioner herein, the quantity of contraband involved in this case and taking note of the fact that the prosecution witnesses were all examined and when the case is posted for questioning the accused under Section 313 of Cr.P.C, this Court is not inclined to grant bail to the



petitioner.

WEB COPY

Crl.O.P.No.30993 of 2025



7. Accordingly, this criminal original petition stands dismissed.

05.12.2025

stn

To

1. The Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit, Chennai.
(NCB F.No.48/102/2022 NCB/MDS)
2. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

stn



WEB COPY



Crl.O.P.No.30993 of 2025

Crl.O.P. No.30993 of 2025

05.12.2025