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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP Nos.31430 & 32720 of 2025

Krishnan Lakshman

Petitioner in
Crl.OP.No.31430 of 2025

Ashok Kumar

Petitioner in
Crl.OP.No.32720 of 2025

Vs

The State Represented by
The Inspector of Police,
S-1 St Thomas Mount Police Station,
Chennai.
Crime No.222 of 2025.

Respondent in
both the petitions

PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners in Crime No.222 of 2025 on the file of the respondent police.

For Petitioner: Mr.V.R.Bharath
(in both the petitions)

For Respondent: Mr.A.Gopinath
Government Advocate (Crl.side)
(in both the petitions)

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COMMON ORDER

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The petitioners were arrested and remanded to judicial custody on 13.08.2025 for the alleged offence under Sections 8(c), 20(b)(ii)(C), and 29(1) and 25 of Narcotics Drugs and Psychotropic Substances Act, 1985 in Crime No.222 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, on prior information, the respondent police intercepted a child in conflict with law and recovered 2.100 grams of ganja at about 11.50 hours on 13.08.2025. After complying with the mandatory provisions, his statement was recorded, wherein it was revealed that he had collected the contraband from A1/Saravanan and that he was part of a network involved in ganja trafficking run by A1 and others. Pursuant to which, the respondent police went to the house at Nanimangalam belonging to A1 and, after complying with the mandatory provisions, conducted search and seizure, during which 10.500 kgs of ganja from A6 (petitioner in CrI.OP.No.31430/2025) and 16.750 kgs of ganja from A5. Thereafter, a case was registered in Crime No.222 of 2025 at about 19.30 hours on the same day. Subsequently, at about 23.30 hours, the police party went to Tambaram Railway Station and intercepted A1, A3, A4 and A2 (petitioner

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in Crl.OP.No.32720/2025) and a further recovery of 10.550 kgs of ganja was effected from A1. Hence, the petitioners were arrested and they were remanded to judicial custody.

3. The learned counsel appearing for the petitioners, on behalf of both the petitioners, submitted that A6 is alleged to have been found residing in a portion of the house situated opposite to the portion occupied by A1 in this case, and that he was not aware of the activities of A1. He further submitted that A6 has been falsely implicated and that no recovery of contraband was effected from him. He also produced photographs of the house to demonstrate that the premises consists of two separate portions, one occupied by the petitioner and the other by A1, and that the petitioner was residing in the opposite portion. He further submitted that A2 is concerned, he was arrested at Tambaram Railway Station on the allegation that the accused were transporting ganja from Andhra Pradesh to Chennai, during which they were intercepted and 10.500 kgs of ganja were recovered. He further submitted that the rigour of Section 37 of the NDPS Act is not attracted to the case of the petitioners herein. Hence, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing



for the respondent police reiterated the prosecution case and submitted that A1 and A6 are close relatives. A11, the accused were residing in the house of A1 for the purpose of carrying on the ganja trafficking activities and that they used to regularly meet, monitor the sale of ganja, and share the profit among themselves. He further submitted that in this case, the total quantity of contraband seized is more than 37 kgs of ganja, which constitutes a commercial quantity, and therefore the rigour of Section 37 of the NDPS Act is clearly attracted. Hence, he opposed the grant of bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. (i) This Court has also perused the FIR and the other connected materials. It is seen that pursuant to the apprehension of the child in conflict with law and based on his statement, the house of A1 was searched. During the said search, 10.500 kgs of ganja were recovered from the petitioner/A6 in CrI.OP.No.31430 of 2025 and a further quantity of 16.750 kgs of ganja was recovered from A5.

(ii) This Court is of the view that both the quantities of contraband have to be taken together for the purpose of considering quantity, since the seizures were effected from the very same house. Though it is stated

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that the petitioners and other accused were residing in separate portions of the house, it is also the specific case of the prosecution that the house belongs to A1/Saravanan and that 27 kgs of ganja was recovered. Further from A1 another 10.550 kgs were recovered. Therefore, the recovery effected in this case clearly falls within the ambit of commercial quantity.

(iii) As far as A2 is concerned, it is alleged that he had bought 10 kgs of ganja from A1 and the same was transported by train. It is further alleged that all the accused are part of an organised network involved in the sale of ganja. The investigation is still pending and the petitioners were arrested only on 14.08.2025. The total quantity of contraband seized in this case is more than 37 kgs of ganja. Considering the stage of investigation, this Court is of the view that grant of bail at this juncture would not appropriate. The rigour of Section 37 of the NDPS Act is clearly attracted and the satisfaction contemplated therein can be established only after completion of investigation. As on today, materials produced satisfy the prima facie alleged by the prosecution. Therefore, this Court is not inclined to grant bail at this stage.



7. Accordingly, these Criminal Original Petitions are dismissed.

16.12.2025

drl

To

1.The Inspector of Police,
S-1 St Thomas Mount Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.,

drl

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