



CrI.OP.No31418 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

CrI.O.P.No.31418 of 2025

Prajeesh

... Petitioner

Vs.

State rep by

The Superintendent of Customs,

AIR Intelligence Unit,

International Airport, Coimbatore.

(OR.No.09 of 2025-2026-AIU CJB)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending in
OR.No.09 of 2025-2026-AIU CJB on the file of the respondent police.

For Petitioner : Mr.M.Kruthika

For Respondent : Mr.T.Rajendran Raghavan



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Special Public Prosecutor
(For Customs Cases)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.10.2025, for the alleged offences punishable under Sections 8, 20, 23 and 29 of NDPS Act, 1985 in OR.No.09 of 2025-2026-AIU CJB on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 10.10.2025, the Officers of the AIR Intelligence Unit (AIU) and Directorate of Revenue Intelligence (DRI) Coimbatore, intercepted the petitioner, who had arrived from Singapore at Coimbatore, International Airport. Upon enquiry, the Officers claimed to have found seventeen transparent plastic packets of greenish substance weighing 6308 grams hydroponic ganja (weed) in the check-in-luggage. Subsequently, the case has been registered against the petitioner and hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been arrested by the respondent Customs Officer and

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remanded to judicial custody on 10.10.2025 for alleged possessing of 6308

grams of hydrophonic ganja. He further submitted that the quantity of contraband allegedly seized from the petitioner is comes under intermediate quantity and he has been falsely implicated in this case and he is ready to abide any conditions that may be imposed by this Court and prays to grant bail.

4. The learned Special Public Prosecutor (for Customs Cases) appearing for the respondent police reiterated the prosecution case and reported that on 10.10.2025, the Officers of DRI and AIR Intelligence Unit intercepted the petitioner, who arrived from Singapore, at International Airport, Coimbatore in the presence of two independent witnesses and enquired him whether he is in possession of gold items/any contraband concealed either in person or in his baggage, for which, the petitioner replied



in the negative. On suspicion that, he was looking tensed and nervous, the officeres requested the petitioner to walk through the Door Frame Metal Detector (DFMD) after removing all metal items like watch, mobile phone etc and the DFMD did not gave any alarm. The officers explained him that they are empowered to conduct personal search of him and also explained about his right to be searched with the permission of a Gazatted Officer and on his consent, he was personally searched, but nothing incriminating was found in person.

4.2) Further, the Officers took his Check-in-luggage for scanning and found yellow and greenish image in X-ray machine and the said bag was opened in the presence of witnesses and it was found seventeen transparent plastic packets, which were carrying foul smelling granular chunks of green substance, which indicated the present of narcotics substance. Thus, the Officers found totally 17 numbers of transparent plastic packets containing pale green substance and the same were recovered and on weighing the said packets, it contained gross weight of 6308 grams greenish substance



subjected to be hydroponic weed/ganja. The preliminary test of the samples of the greenish substance with the narcotics field drug test kit, prima facie tested positive for Hydroponic Weed/ganja.

4.3) On enquiry, the petitioner stated that he went to Bangkok on 22.09.2025 from Chennai Airport for a trip and he was approached by an unknown person in a bar in Bangkok, who offered Rs.50,000/- in addition to his return ticket from Bangkok for delivery of some goods to his accomplice at Coimbatore and he told that big trolley bag contains some toys, chocolates and food items are there. Then, the unknown person taken his photo in his mobile phone and told him that his photo has been forwarded to his accomplice in Coimbatore through Whatsapp, who would receive the said items outside the Coimbatore Airport. Hence, the petitioner boarded the flight to Coimbatore along with said Trolley Bag and on arrival at Coimbatore the Officer of DRI and AIU intercepted him.

4.4) Learned Special Public Prosecutor submitted that the petitioner was arrested for possessing 3.600grams of ganja. The petitioner was from



Bangkok, Thailand and he has not revealed the person who has come forward to receive the contraband and investigation in this case is pending.

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Hence, the learned Special Public Prosecutor (for Customs Cases) opposed for grant of bail to the petitioner.

5. By way of reply, the learned counsel for the petitioner appearing for the petitioner submitted that the petitioner is arrested on 10.10.2025 and it is not a case of commercial quantity. It is only an intermediate quantity. Hence, Section 37 of NDPS Act is not applicable to the case of the petitioner herein and is ready to comply with any conditions that may be imposed by this Court. He further submitted that the petitioner is not having any previous case. Hence, he prays to grant bail to the petitioner.

6. Though the petitioner has involved in International Trafficking of ganja, he is in custody from 10.10.2025 and the contraband seized is also an intermediate quantity and Section 37 of NDPS Act is not applicable to the case of the petitioner herein and that the petitioner is not having previous cases, I am inclined to grant bail to the petitioner, subject to certain



conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the learned ***Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore*** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent daily at 10.30 a.m for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly



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cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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Vv



Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Additional District Judge/Presiding Officer,
Special Court for Essential Commodities Act Cases,
Coimbatore
2. The Superintendent of Customs,



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AIR Intelligence Unit,
International Airport, Coimbatore.

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3. The Central Prison,
Coimbatore.

4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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