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Crl.O.P.Nos.32933 & 32119 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.Nos.32933 & 32119 of 2025

1. Ravi
2. Santhi
3. Nimiya Mandal
4. Nithonel ... Petitioners in Crl.O.P.No.32933 of 2025

Nimiya Mandal Petitioner in Crl.O.P.No.32119 of 2025
Vs.

The State represented by
The Inspector of Police,
PEW-Ambattur
Chennai.
(Crime No.91 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.91 of 2025 pending on the file of the respondent Police.

For Petitioner

in Crl.O.P.No.32933 of 2025 : Mr.B.Shankar

For Petitioner

in Crl.O.P.No.32119 of 2025 : Mr.T.S.Sasi Kumar

For Respondent : Mr.A.Gopinath

Government Advocate (Crl. Side)



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ORDER

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The petitioners, who were arrested and remanded to judicial custody on 06.06.2025 & 07.06.2025 respectively, for the offence punishable under Sections 8(c) read with Sections 20(b)(ii)©, 29(1) of NDPS in Crime No.91 of 2025, registered on the file of the respondent, seeks bail.

2. The allegation against the petitioners is that the petitioners have involved in transportation and possession of 30 kgs of Ganja. It is alleged that on 06.06.2025, the respondent police received a secret information that, four persons were selling Ganja at Pattaravakkam Railway Station and the respondent police went to the spot and found four persons were standing in a suspicious manner and the respondent conducted a search and seized 10 kgs of Ganja each from A1 to A3 and a mobile phone from A4 and they were later arrested and the mobile phones were recovered. Hence, the case was registered.

3. The learned counsel appearing for the petitioners in Crl.O.P.No.32933 of 2025 submitted that, 3rd petitioner has filed another petition in Crl.O.P.No.32119 of 2025 and therefore he is not pressing for 3rd



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petitioner. He further submitted that, A1, A2 hails from Tamil Nadu and other two accused hails from Odisha. He further submitted that, contraband seized from the petitioners are not commercial quantity since there is separate search and seizure was made and Mahazar also prepared and further, petitioners are ready to co-operate with the investigation. Hence, he prayed for grant of bail to the petitioners.

4. The learned Counsel appearing for the petitioner in Crl.O.P.No.32119 of 2025 submitted that, petitioner is not conversant with tamil language and the compliance of Section 50 of NDPS Act was made only through Tamil. He further submitted that, there is no reference about the seizure of the mobile phone in the FIR. Hence, he prays for grant of bail to the petitioner.

5. The learned Government Advocate (Crl. Side) submitted that, though it is stated that, separate search and seizure of 10 kgs of ganja was made from A1 to A3, there are other materials to link the petitioners herein with the contraband seized, not only the confession, it has been revealed that these persons were transporting Ganja from West Bengal. During investigation, respondent recovered call details of the petitioners and found



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that, there were frequents phone calls with each other, even prior to the seizure and also on the date of seizure of the contraband and he also produced the copy of the call details, wherein it is stated that, A1 to A4 were in continuous contact with each through phone and spoken several times for the purpose of facilitating themselves for transportation of Ganja. Hence, he opposed for grant of bail to the petitioners.

6. I have gone through the records and considered the submissions made on both sides. Though, it is stated that, 3rd and 4th accused know only hindi language, the statements recorded from them revealed that, they were conversant with Tamil. Further, the call data produced also shows that, on the date of occurrence, prior to seizure, they were talking with each other through phone and in the mahazar, it is clearly stated that, mobile phone were recovered. In view of the above, Section 37 of NDPS Act is applicable and this Court finds that the petitioner has failed to satisfy the twin conditions as contemplated under Section 37 of NDPS Act. Hence, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

10.12.2025



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To

1. The Inspector of Police,
PEW-Ambattur
Chennai.

2. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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