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CRL OP No. 1255 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 1255 of 2026

Kowsic S/O.Ayyamperumal,
13/121,V.O.C.Park,
B Mariyamman Kovil Street,
Thomas Puram,Avanashi
Tiruppur

..Petitioner(s)

Vs

State represented by:

The inspector of Police,
Avinashi Police Station,
Tiruppur,
Crime No.1022/2025.

..Respondent(s)

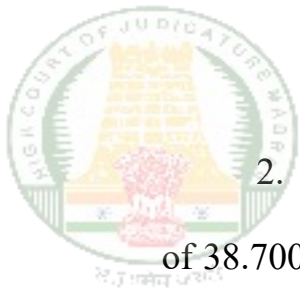
PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in Crime No.1022/2025 on the file of the respondent police.

For Petitioner(s): Mr. S.Parthasarathy

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.12.2025 for the alleged offences under Sections 8(c) read with 20(b)(ii)(C), 25 and 29(1) of NDPS Act in Cr. No.1022 of 2025 on the file of the respondent police, seeks bail.



2. This case has been registered against the accused for illegal possession of 38.700 kgs of Ganja in a car and the contraband has been recovered from the accused. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that this petitioner has been implicated in this case as an accused only based on the confession statement given by the co-accused and the petitioner is ready and willing to abide by any condition that may be imposed by this Court and hence prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and strongly objected to enlarge the petitioner on bail on the ground that the quantity involved in this case is a commercial quantity.

5. From the submissions made by the learned Government Advocate, it appears that the case is registered for commercial quantity of contraband. He would further submit that the grounds of arrest were furnished to the petitioner, as contemplated under Article 22(1) of the Constitution of India and hence the said contention of the learned counsel for the petitioner cannot be countenanced.



The learned counsel for the petitioner would vehemently submit that there was no recovery from this petitioner and this petitioner has been implicated only based on the confession of the co-accused. Since the case involves commercial quantity, the Rigors of Section 37 of NDPS Act would be attracted. In such view of the position, taking into consideration the commercial quantity of contraband involved in this case, this Court is not inclined to enlarge the petitioner on bail, as the petitioner is under judicial custody only from 17.12.2025.

6. Accordingly, this Criminal Original Petition is **dismissed**.

09-03-2026
[1/2]

MJS

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 Public Prosecutor, High Court, Madras.
2. The Inspector of Police, Avinashi Police Station, Tiruppur.



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C.KUMARAPPAN, J.

MJS

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