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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.1825 of 2026

1.Tangrine Pitter
2.Puja Sunar
Petitioners

...

-VS-

State Rep by,
The Inspector of Police,
PEW Adyar Unit,
Chennai.
(Crime No.96 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioners on bail in Crime No.96 of 2025 on the file of the respondent police.

For Petitioners : Mr.S.N.Arunkumar

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 09.05.2025 for the alleged offences punishable under Sections 8(c), 20(b) (ii)© & 29(1) of NDPS Act, 1985 in Crime No.96 of 2025, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioners is that they are ranked as A3 and A4 in this case and Prior to 05.02.2025, this petitioner conspired with A1, A3 and A4 and went to Anagapalli (AP) and Odisha to purchase the Ganja from unknown persons and purchased 25 kg of Ganja and they brought it through train and to reach Puducherry on 08.05.2025 and planned to split it; house. However, prior to 08.05.2025, A2 and A4 decided to leave for Thada, (AP) for the purpose of meeting their relative and accordingly, they returned back to Thada (AP). However, they handed over 21 kgs of Ganja to A1 in this case and 4kg was retained by A2. Based on the information received by the respondent police, they intercepted A1 at Thiruvanmiyur bus stand and recovered 21 kgs of Ganja from the petitioner herein, after complying with the various mandatory provisions and the statement was also recorded from him. The confession statement revealed as to where the contraband was purchased; how it was transported; how it was reached on his hand and how it was reached to Thiruvanmiyur. Based on the statement recorded from him, A2 was arrested on the next day with 4 kgs of Ganja and on the same day, A3 and A4 were separately arrested and remanded to judicial custody.

3. The learned Counsel for the petitioners submitted that only 25 kgs of Ganja was not recovered from the petitioners herein and there is no link to contraband seized from A1. Though it is stated that there are certain call details, tower locations were traced out by the respondent police, and no



witnesses were added in the final report to speak about the above facts. Hence, there is no link to establish the facts alleged by the respondent police between the petitioners and the contraband seized from A1. He further submitted that only based on the confession. Hence, prays to grant bail to the petitioners.

4. Mr.A.Gopinath, learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that there are subscriber call details of both A1 and A4 and those documents have been produced before the trial Court along with a final report. He further submitted that the tower locations, subscriber call details and WhatsApp chats were also produced before the trial Court. A1 and A4 travelled together, trafficked 25 kgs of Ganja from Orissa to Anagapalli and reached Thada (AP), and thereafter, A1 brought ganja to Chennai for further transportation to Puducherry. Hence, there are materials produced to link the petitioner herein with the contraband and there are witnesses listed to speak about the call details, and grounds raised herein has to be decided only at the time of trial. Hence, the materials available are sufficient to establish prima facie case against the petitioner and burden is on the petitioner to prove the fact that the petitioner is not guilty of the offence under Section 37 of the NDPS Act. He further submitted that this Court had already dismissed the bail petition for A2 in CrI.OP.No.35339 of 2025 dated 09.02.2026. Hence, he opposed to grant bail to the petitioners.



5. I have also gone through the FIR and other connected materials and records. Admittedly, there are subscriber call details and tower locations of the petitioners, along with A1 and A4, have been produced before the trial Court as a document. It is contended by the learned Counsel for the petitioners that these documents shall be submitted to the petitioners prior to framing of charges. Further, there is no witness listed to speak about the above documents. This Court is of the considered view that there are documents alleged to have been placed on record, including the call details and present tower locations to show that the petitioners herein is linked along with A1 while he was in possession of 25 kgs banned contraband.

6. It is settled law that to satisfy the grounds under Section 37 of the NDPS Act, raising suspicion is not sufficient and there has to be strong preferable cause to show that the petitioner herein is not guilty of the offence. Bail application of similarly placed co-accused/A2 was also dismissed by this Court in CrI.OP.No.35339 of 2025 dated 09.02.2026, hence this Court is not inclined to allow the above petition.

7. Accordingly, this Criminal Original Petition shall stand dismissed.

10.02.2026

drl



To

1. The Inspector of Police,
PEW Adyar Unit,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.

drl



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