



WEB COPY

CRL OP No. 1959 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 25-03-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 1959 of 2026**

Dhayalan

..Petitioner

Vs

The State Rep by,  
The Inspector of Police  
PEW Ambattur Unit,  
Avadi District,  
Crime No.175 of 2025

..Respondent

Prayer: Criminal Original Petition filed under section 483 of BNSS Act to enlarge the petitioner on bail in Crime No.175 of 2025 pending on the file of the respondent.

For Petitioner:

Mr.P.Muthamizhselvakumar

For Respondent:

Mr.S.Vinoth Kumar,  
Govt.Advocate (Crl Side)

### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 09.11.2025 for the alleged offence under Section 8(c) r/w 20(b)(ii)(C), 29(1) of NDPS Act in Crime No.175 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner along with another accused were found in possession of 20 kg of ganja. Hence, this case.

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3. The learned counsel for the petitioner submitted that the petitioner has been incarcerated since 09.11.2025 and the investigation was conducted by the Sub Inspector of Police, which is contrary to the mandate provided by the NDPS Act and the charge sheet has so far not been served upon the petitioner and only through counter, the petitioner has come to know on the same. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that 20 kgs of ganja was recovered from A1 and 14 kgs of Ganja was recovered from A2 simultaneously. Therefore, it comes under the definition of commercial quantity. He further submitted that the defence of violation in the investigation can only be agitated during the trial. Hence, he opposed the grant of bail to the Petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. From the submissions made by the learned counsel on either side, the



submission of the learned Government Advocate (Crl.side) cannot be outrightly denied. As rightly contended by the learned Government Advocate (Crl.Side) to overcome the rigour of section 37(i)(b)(ii) of NDPS Act, this Court could not find any material from the petition or from the submissions made by the learned counsel for the petitioner. Hence, this Court is not inclined to enlarge the petitioner on bail. This Criminal Original Petition is dismissed.

**25-03-2026**

SHL

To:

1. The Judicial Magistrate Court, Ambattur
2. The Inspector of Police  
PEW Ambattur Unit,  
Avadi District.
3. The Public Prosecutor  
High Court of Madras



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**C.KUMARAPPAN J.**

SHL

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