



WEB COPY

CRL OP No. 1962 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 1962 of 2026

Vishal Kesav
S/o.Ramesh,
Residing of H.No.5/13, First Floor,
Purushothaman Guarden,
Jai Nagar, 1st Street,
Arumbakkam,
Chennai 600 106.

..Petitioner(s)

Vs

Union of Indian, Represent by Sub Inspector,
Jr.Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit,
Chennai 600 077.
(NCB F.No.48/1/17/2025/NCB/MDS)

..Respondent(s)

Criminal Original Petition filed under Section 483 of BNSS, praying to grant Bail to the petitioner pending investigation in R.R.47 of 2025 in NCB F.No.48/1/17/2025/NCB/MDS on the file of the Respondent Police.

For Petitioner(s): Mr.D.Velmurugan

For Respondent(s): Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.11.2025 for the alleged offences under Sections 8(c) r/w 22(c), 28 and 29 of



the NDPS Act, 1985, in NCB F.No.48/1/17/2025/NCB/MDS on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner/A1 along with the other accused had entered into a conspiracy for illicit transportation and sale of contraband. Pursuant to the said conspiracy, they had possessed 25 blots of LSD weighing 0.26 grams for sale and the same had been seized by the respondent police.

3. The learned counsel for the petitioner vehemently submitted that there is no previous case against the petitioner. Though a commercial quantity is alleged to have been recovered from the possession of the petitioner, the same would not come within the rigour of Section 37(1)(b)(ii) of the NDPS Act upon the factual aspect as the petitioner was issued summons on 29.10.2025 and that he appeared on that day. If there was any possession of LSD in his residence, there was every possibility for him to destroy the same and appear on 30.10.2025. Whereas, in the case in hand, the petitioner cooperated with the enquiry on 29.10.2025 and once again appeared before the respondent police on 30.10.2025 and only on 30.10.2025 the respondent police allegedly recovered 25 blots of LSD, which on the face of it would demonstrate that the petitioner is innocent. Hence, he prayed to grant bail to the petitioner.



4. The learned Government Advocate (Crl. Side) for the respondent police strongly opposed the said contention and submitted that those grounds cannot be adjudicated at this stage in the bail application and the same could only be decided during trial. He further submitted that 25 blots of LSD were recovered, which comes within the commercial quantity, and that the investigation is still pending. Hence, he opposed the grant of bail to the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

6. According to the prosecution, 25 blots of LSD weighing 0.26 grams were recovered from the petitioner, which comes within the commercial quantity, and from the submissions of the learned Government Advocate (Crl. Side), it is seen that the investigation is still pending. Therefore, this Court does not find any reason to enlarge the petitioner on bail.

7. In the result, this Criminal Original Petition stands dismissed.

cda

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C.KUMARAPPAN J.

cda

To

- 1.The Sub Inspector,
Jr.Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit,
Chennai 600 077.
- 2.The Public Prosecutor,
High Court of Madras.

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