



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No. 3618 of 2026

Mohankumar

... Petitioner/A3

Vs.

The State represented by
The Inspector of Police
Palladam Police Station
Tiruppur District
Crime No. 1271 of 2025.

... Respondent

Prayer: Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in Crime No. 1271 of 2025 on the file of the respondent police pending investigation.

For Petitioner : Mr.N.Ponraj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.12.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) and 29(1) of NDPS Act, 1985 in Crime No. 1271 of 2025 on the file of respondent police seeks bail.



2. The allegation against the petitioner is that the petitioner joined hands with other accused were involved in possession and transportation of 46.560 kgs of Ganja. After alighting in the Palladam Railway Station, while they were waiting near Muthu Hotel for further transit, and prior information, they were intercepted, and search & seizure have been conducted and from this petitioner 8.140 kgs of Ganja was recovered and the petitioner was arrested and remanded to judicial custody on 23.12.2025.

3. The learned counsel for the petitioner submitted that from this petitioner 8.140 kgs of Ganja was recovered, which is an intermediate quantity, and the petitioner has been in judicial custody since 23.12.2025. He further submitted that separate search and seizure have been effected and the contraband seized could not be linked to the other accused. The contraband seized from the petitioner alone shall be taken into account for the purpose of deciding the bail. He further submitted that section 37 of the NDPS Act, is not applicable to the facts of the present case. He further submitted that the petitioner is ready to abide any condition imposed by this Court. Hence, he prayed to grant bail to the petitioner.



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4. Mr.A.Gopinath, learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that since each accused was carrying a bag and separate search and seizure have been effected, it shows they were individually involved. He further submitted that each accused was aware about the possession of ganja by the other accused. Hence, all the accused conscious and possession of Ganja and he opposed to grant bail to the petitioner.

5.I have also gone through the FIR and other connected materials. It reveals that after alighting Palladam Railway Station, while they were waiting near Muthu Hotel for the purpose of further transit, they have been intercepted by the respondent police and the statements were also recorded from them and they were aware about the said contraband transported by them and all these contraband have been transported from Odisha. It is not a case of intermediate quantity and the quantity was seized is 46.560 kgs of Ganja. The statement recorded also reveals that all accused about the possession of ganja by the others and, they were in conscious possession. Hence, this Court is of the view that section 37 of the NDPS Act, 1985 is applicable to the facts of the present case. Therefore, I am not inclined to grant bail to the petitioner.



6. Accordingly, this Criminal Original Petition is dismissed.

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13.02.2026

To

1. The Inspector of Police
Palladam Police Station
Tiruppur District
Crime No. 1271 of 2025.

2. The Public Prosecutor
High Court of Madras.



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K.RAJASEKAR J.

MSM

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