



WEB COPY

CRL OP No. 4935 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. 4935 of 2026

Shabana Ashmin

..Petitioner

Vs

State represented by
Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit.
(R.R.No.43 of 2025)

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in R.R. No.43 of 2025 on the file of the respondent.

For Petitioner:

Mr.K.P. Rajendran

For Respondent:

Mr.A.Kumaraguru
Special Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.03.2024 for the alleged offences under Sections 8(c), 20(b)(ii)(c), 23(c), 28 and 29 of NDPS, Act, 1985 in R.R.No.43 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on intelligence input, the respondent officials intercepted the accused persons at Chennai International



Airport, who arrived from Kuala Lumpur by Malaysia Airlines. On suspicion, they were searched and found joint possession of 28.080 kilograms of ganja.

Hence, the case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been in incarceration since 14.11.2025 and only 7 kgs of ganja was recovered from him. It is submitted that there are four accused involved and individual recovery from the petitioner is not of commercial quantity. The learned counsel would further submit that separate seizure mahazar has not been prepared and therefore, he prays to grant bail to the petitioner.

4. The learned Special Public Prosecutor appearing for the respondent submitted that based on specific information, the petitioner and other accused who travelled together in the same flight were intercepted and a joint recovery was effected under a single mahazar. It is further submitted that 7 kgs was recovered from the petitioner and 21.08 kgs from other accused, totaling 28.08 kgs. It is further submitted that the contraband was sourced from the same person and the recovery is a joint one and cannot be segregated.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.



6. Considering the submission of the learned counsel on either side, it is seen that the petitioner and other accused travelled together and the recovery was effected through a single mahazar. Though the learned counsel would contend that only 7 kgs was recovered from the petitioner, the total recovery is 28.08 kgs and the same constitutes commercial quantity. Further, the materials placed show that the contraband was sourced from the same person and the offence appears to be in furtherance of a common object. This Court does not find any material to overcome the rigour under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985. Hence, this Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, this Criminal Original Petition stand dismissed.

25-03-2026

NSL

To

1. The Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit.

2. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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