



WEB COPY

CRL OP No. 5854 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5854 of 2026

Surya

..Petitioner

Vs

State Represented by
The Inspector of Police,
Race Course Police Station,
Coimbatore,
Crime No. 600 of 2024.

..Respondent

Prayer: Criminal Original Petition filed under section 483 of BNSS to enlarge the petitioner on bail in Cr.No.600 of 2024 on the file of the respondent police.

For Petitioner:

Ms.Nowbiya Begam

For Respondent:

Mr. S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.12.2024 for the alleged offences under Sections 8(c), 20(b)(ii)(C), 25 and 29(1) of the NDPS Act 1985 in Crime No.600 of 2024 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner was found in possession of 20.200 kg of ganja. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner has been in judicial custody since 19.12.2024 and has been incarcerated for more than 452 days. The specific submission of the learned counsel for the petitioner is that without any material to show that the petitioner went to Odisha, the implication of the petitioner in this case is fictitious and further no records such as train tickets, CDRs or bank transfers of amount by the petitioner to the person at Odisha have been established. However, the learned counsel fairly submitted that, according to the prosecution, the recovery was 20.200 kg of ganja.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and the contention of the learned counsel for the petitioner was totally objected by the learned Government Advocate (Crl.Side) and submitted that the ground raised with the petitioner cannot be gone into at the bail stage. The recovery from the petitioner is 20.200 kg of ganja and that this petitioner has seven previous cases and one of which is a murder case and this is the third bail application. 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, there is no doubt that this petitioner has been in incarceration since 09.12.2024. According to the prosecution, the recovery of contraband is of a commercial quantity of 20.200 kg of ganja. Though, the learned counsel for the petitioner has raised several objections regarding the petitioner's connection to the person in Odisha, these cannot be gone into at the bail stage. There should be some concrete acceptable evidence to show that the petitioner is not at all involved in any offence, to over come such strong rigour of Section 37(1)(b)(ii) of the NDPS Act. However, no materials available in this case. Hence considering the fact that it is a commercial quantity, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

17-03-2026

SHL

To

1. The Inspector of Police,
Race Course Police Station,
Coimbatore.

2. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

SHL

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