



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7552 of 2026

Ramesh S/o.Rajenthiran,
Niraimathi Salai, Kattukottagai,
Malaikottalam,
Kallakurichi District-606 203.

..Petitioner(s)

CRL OP No. 9198 of 2026

1. Arun S/o. Krishnamoorthi,
Ellaiyamman kovil Street,
Malaikottalam Village,
Kallakuruchi Taluk and District.

2. Kumarasami @ Kumar
S/o.Murugesan,
Ellaiyamman Kovil Street,
Malaikottalam Village,
Kallakuruchi Taluk and District.

..Petitioner(s)

Vs

The State represented by:

The Station House Officer
Sankarapuram Police Station,
Kallakuruchi District.
[Crime No.586/2025]

..Respondent(s)

PRAYER: These Criminal Original Petitions have been filed under Section 483 of B.N.S.S. praying to enlarge the Petitioners on bail in the pending investigation in Crime No.586 of 2025 on the file of the Inspector of Police, Sankarapuram Police Station, Kallakuruchi District.



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For Petitioner(s):

M/s.U.Kathiravan

For Respondent(s):

Mr.S.Yogaraja Sekar,
Government Advocate (Criminal side)

Common Order

The petitioners, who were arrested and remanded to judicial custody on 25.09.2025 for the alleged offences under Section 8(c), 20(b)(ii)(C) and 29(1) of NDPS Act, 1985 in Cr. No.586 of 2025 on the file of the respondent police, seeks bail.

2. The *case of the prosecution* is that the petitioners were found in possession of 8.110 kgs, 7.380 kgs and 7.070 kgs of Ganja in three separate sacks and totally 22.560 kgs of Ganja has been seized by the respondent police and hence the case.

3. The learned counsel for the petitioners would submit that there are about three accused and the petitioner in Crl. O.P. No.9198 of 2026 are A1 and A3 and the petitioner in Crl.O.P. No.7552 of 2026 is A2. He would further submit that according to the petitioners, what was recovered from A2 is only 7 kgs, which is an intermediate quantity and there is no recovery from A3, however, according to the prosecution, the total recovery from A1 is 22.560 kgs of Ganja. The learned counsel would further submit that the recovery of intermediate quantity, cannot be clubbed with the recovery from A1. He would



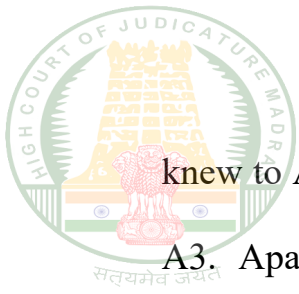
further submit that A3 is only 19 years old and that he has no bad antecedents and hence prayed to enlarge the petitioners on bail.

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4. The above said contention of the learned counsel appearing for the petitioners, was totally objected by the learned Government Advocate (Criminal side) appearing for the respondent police and he would submit that the total recovery of the contraband made from A1 is 22.560 kgs. He would further submit that though there was no recovery from A3 and A2, the recovery was effected, when all of them were standing together and there are records to show that the contraband was procured by all of them jointly. Therefore, it is the contention of the learned Government Advocate that since it is the commercial quantity, the rigors under Section 37 of NDPS Act would attract and there are two previous cases as against A2 and out of which, one case is of similar nature and there is one previous case of cattle theft as against A1 and hence he strongly objected the bail application.

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

6. While looking into the factual position, according to the prosecution, the entire recovery is from A1, but the learned Government Advocate would submit that there are evidences to show that the recovery effected from A1 also



knew to A2 and A3 and there are evidences to show the involvement of A2 and A3. Apart from that, it is also relevant to refer that A2 has two previous cases, in which, one case in Cr. No.253 of 2024 on the file of Kallakurichi Police Station is a NDPS Act case. Therefore, this Court is of the firm view that rigors under Section 37 of NDPS act would attract against the petitioner and this Court could not find any material to overcome the same and there are no merits in favour of the petitioner. Therefore, this Court is not inclined to enlarge the petitioners on bail.

7. Accordingly, these Criminal Original Petitions are **dismissed**.

04-06-2026

MJS

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Public Prosecutor, High Court, Madras.
2. The Inspector of Police, Sankarapuram Police Station, Kallakurichi District.



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C.KUMARAPPAN J.

MJS

**CRL OP No. 7552 of 2026
AND
CRL OP NO. 9198 OF 2026**

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