



WEB COPY

CRL OP No. 6588 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6588 of 2026

Dharneeswaran

..Petitioner

Vs

State Rep by
The Inspector of Police,
PEW-Triplicane,
Chennai.
C.C.No.1326 of 2025

..Respondent

Prayer: Criminal Original Petition filed under section 483 of BNS Act to enlarge the petitioner on bail in connection with C.C.No.1326 of 2025 on the file of the I Additional Special Court for Exclusive Trial of Cases Under NDPS Act, Chennai.

For Petitioner:

Mr.P.Ponbalaji

For Respondent:

Mr. Vinoth Kumar
Government Advocate (Crl Side)

Order

The petitioner, who was arrested and remanded to judicial custody on 27.06.2025 for the alleged offence under Section 8(c) r/w. 20(b)(ii)(c), 29(1) of NDPS Act in Crime No.1326 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that petitioner along with another accused was found in possession of 22.750 kgs of ganja. Hence, this case.

3. The learned counsel for the petitioner submitted that the petitioner has been incarcerated since 27.06.2025 and there is serious lapses in respect of the prosecution case as the petitioner was not at all available at the scene of occurrence. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that this petitioner and the other accused were standing together and there was a recovery of 22 kgs of ganja from both of them and the case comes under commercial quantity. Apart from that, the petitioner also has involvement in a murder case. 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, though the learned counsel for the petitioner raised many defences, this Court is



of a firm view that those points can be agitated only at the time of trial. It is too premature to consider those objections at this bail application stage, as the same would prejudice the trial. Moreover, from the submissions of the learned Govt Advocate (Crl.Side), this petitioner has involved in a murder case. Therefore, the very conduct of the petitioner in misusing the liberty by involving himself in another serious offence is also a ground against the petitioner in denying bail. In such view of the factual position and also upon the fact that there are no grounds to overcome the rigour of section 37(1)(b)(ii) of the NDPS Act, this Court is not inclined to enlarge the petitioner on bail. This Criminal Original Petition is dismissed.

24-03-2026

SHL

To:

1. The I Additional Special Court for Exclusive Trial of Cases Under NDPS Act, Chennai

2. The Inspector of Police,
PEW-Triplicane,
Chennai.

3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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