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CRL OP No. 8482 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8482 of 2026

B.Kishorekumar @ Mohamed Kasif Ali

..Petitioner

Vs

State rep by,
Inspector of Police,
Karaikal Town Police Station,
Karaikal. (Crime No.200 of 2025)

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending proceedings before the learned District Special Judge (under NDPS Act), Karaikal, in Spl.S.C.No.27 of 2025 in connection with Crime No.200 of 2025 on the file of the respondent police.

For Petitioner: Mr.M.Govindaraju

For Respondent: Mr.M.V.Ramachandra Murthy,
Public Prosecutor (Puducherry)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.07.2025 for the alleged offences under Sections 20(b)(ii)(C), 24 of Narcotic Drugs & Psychotropic Substances Act, 1985, 14A of Foreigners Act, 1946 and 3(3) of the Passport (Entry to India) Act, 1920, in Crime No.200 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that acting on prior information, the respondent police intercepted a vehicle near VOC Salai, Karaikal and seized 26.095 kgs and 277.949 kgs of ganja from Accused Nos.1 and 2. During investigation, it is alleged that the petitioner/A3 procured commercial quantity of ganja from Andhra Pradesh through other accused and supplied the same to A1 and A2 for further transportation.

3. The learned counsel appearing for the petitioner submitted that the petitioner was remanded to judicial custody on 19.07.2025 and there is absolutely no recovery effected from the petitioner. It is further submitted that the implication of the petitioner is solely based on the confession statements of co-accused and there is no independent material to connect him with the alleged offence. The learned counsel would further submit that co-accused A8 has already been enlarged on bail by this Court in Crl.O.P.No.26795 of 2025 on the ground that there was no recovery effected from him. It is also submitted that the charge sheet has already been filed and the trial has not yet commenced and the petitioner has been in custody for more than one year. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner cannot claim parity merely on the ground that co-accused was granted bail and the role of each accused has to be



considered independently. It is further submitted that according to the prosecution, the petitioner is the main supplier of huge quantity of ganja and the involvement of the petitioner is revealed through the confession statements of other accused. The learned Government Advocate (Crl.Side) would submit that the offence involves commercial quantity and the rigour under Section 37 of the NDPS Act applies and the grounds raised by the petitioner are not sufficient to overcome the said rigour.

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, this Court is of the view that though the learned counsel for the petitioner seeks parity with co-accused, on perusal of the order relied upon, it is seen that the said accused was not attributed with the role of supplier. Whereas in the present case, the petitioner is alleged to be the supplier of huge quantity of contraband, which is commercial quantity and the rigour under Section 37 of the NDPS Act applies. Considering the seriousness of the allegation and the role attributed to the petitioner, this Court does not find any grounds to enlarge the petitioner on bail.



7. Accordingly, this Criminal Original Petition stands dismissed.

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To

1. The learned District Special Judge (Under NDPS Act), Karaikal.
2. Central Prison, Kalapet.
3. The Inspector of Police, Karaikal Town Police Station, Karaikal.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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