



WEB COPY

CRL OP No. 9631 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9631 and 9634 of 2026

Prasanth Kumar

..Petitioner in Crl.OP.No.9631 of 2026

Raj Sethy

..Petitioner in Crl.OP.No.9634 of 2026

Vs

The State Rep by,
The Inspector of Police,
PEW Guduvanchery Police Station.
Cr.No.57/2025.

..Respondent in both Crl.OPs

Prayer in Crl. OP.No.9631 of 2026: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No. 57 of 2025 on the file of the Inspector of Police, PEW-Guduvanchery Unit, Tambaram City.

Prayer in Crl. OP.No.9634 of 2026: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Cr.No.57/2025 on the file of respondent.

For Petitioner:
in Crl.OP.No.9631 of 2026

Mr.A.Mohammed Iqbal

For Petitioner:
in Crl.OP.No.9634 of 2026

Mr.B.Kumarasamy

For Respondent:

Mr.S.Yogaraja Sekar
Counsel for Government of Tamil Nadu
(Criminal Side)



COMMON ORDER

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The petitioners, who were arrested and remanded to judicial custody on 26.04.2025 for the alleged offence under Sections 8(c), 20(b)(ii)(C), 29(1) of NDPS Act in Crime No.57 of 2025 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioners submitted that the accused were remanded in judicial custody on 26.04.2025 and there was recovery of 11 kg from A1 and 10 kgs from A2. The learned counsel for the petitioners submitted that there are two separate recoveries and the respondent police by referring section 29 of the NDPS Act has made it collectively as commercial quantity.

3. The learned counsel for the petitioner also relied upon the order of this Court in Crl.OP.No.9448 of 2022 dated 28.04.2022 and submitted that this Court by above order has considered the different recoveries and ultimately held that both were independent. Consequently, the petitioners were enlarged on bail as if the recovered contraband was an intermediate quantity, thereby overcoming the rigour under Section 37 of NDPS Act.

4. The learned Government counsel (Criminal Side) strongly opposed the bail application and submitted the materials before this Court to rope in both the



accused.

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5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side), on perusal of the call records, CDR particulars, there are telephone conversation between the petitioners. In such a background, the contention of the learned counsel for the petitioner that there are two recoveries and no nexus to implicate both the accused under 29 of the NDPS Act, as rightly contended by the learned Government counsel (Criminal Side), it is too premature to go to such a factual aspect in the backdrop of the call details. Hence, to overcome the rigour under section 37 of the NDPS Act, this Court could not find any material. Hence, this Court is not inclined to grant bail to the petitioners.

7. In the result, both the Criminal Original Petitions stand dismissed.

SHL

12-06-2026



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CRL OP No. 9631 of 2



C.KUMARAPPAN J.

SHL

To:

1. The Inspector of Police,
PEW Guduvanchery Police Station.
2. The Public Prosecutor
High Court of Madras
3. The Judicial Magistrate -II,
Chengalpattu.

CRL OP Nos. 9631 and 9634 of 2026

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