



WEB COPY

CRL OP No. 9336 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9336 of 2026

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..Petitioner(s)

Vs

Union of India,
Through Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail in
CC.No.475/2025 in R.R.No.34/2024 in NCB F.No.48/1/11/2024-NCB/MDS on
the file of the respondent/complainant.

For Petitioner(s): Mr.N.S.Ganesh

For Respondent(s): Mr.V.Chandrasekaran, Special Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on
16.05.2024 for the alleged offences under Sections 8 (c) r/w 21 (c), 23 (c), 28
and 29 of the NDPS Act, 1985, in NCB F.No.48/1/11/2024-NCB/MDS on the
file of the respondent police, seeks bail.

2. The case of the prosecution is that 1.629 kg of Cocaine seized from the
petitioner. Hence the case.



3.The learned counsel for the petitioner submitted that the petitioner is innocent and has been in custody since 16.05.2024. He further submitted that no recovery was made from the petitioner. He also submitted that the trial had not commenced for the past two years and copies of the final report were served only in May, 2026. Hence, he prays to grant bail to the petitioner.

4.The learned Special Public Prosecutor appearing for the respondent police submitted that, as a commercial quantity is involved, the rigour under Section 37 of the NDPS Act are attracted. Hence, he opposed for grant of bail to the petitioner.

5.Although, the learned counsel for the petitioner rightly submitted that there has been a two years delay in trial and copies have only recently been served to the petitioner and that one of the accused is still absconding, delay alone cannot be a ground to consider the bail application. In the present case, a commercial quantity is involved. Therefore, as rightly contended by the learned Special Public Prosecutor, the petitioner has not putforth any grounds to overcome the rigour of Section 37 of the NDPS Act. Hence, the Criminal Original Petition is dismissed.

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09-06-2026



To
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1.Union of India,
Through Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit.

2.The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN, J.

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