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CRL OP No. 9175 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9175 of 2026

Srinivasan S/o Saravanan,
No.11/5, Thiyagarajar Salai,
Selvanpet, Vellore Taluk,
Vellore District.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
Kaveripakkam Police Station,
Ranipet District.
(Crime No.53 of 2026)

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in Crime no.53 of 2026 on the file of the respondent police.

For Petitioner(s): M/S. M.Sathish Kumar

For Respondent(s): Mr.S.Yogaraja Sekar,
Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.02.2026 for the alleged offences under Section 8(c), 20(b)(ii)(C) and 29(1) of NDPS Act, 1985 in Cr. No.53 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that on secret information, while the respondent police conducted vehicle checkup at Bangalore-Chennai National Highways Road, Sumaithangi service, near Sun Beam School on 26.02.2026 at about 6 hours, found the accused A1 to A4 came in a car Maruthi Ertiga bearing Registration No.TN59-AV-3649 in a suspicious manner and on enquiry, it was found that they were in possession of 21 kgs of Ganja. The respondent police secured the accused and seized the contraband and hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is A4 and he has been remanded to judicial custody on 26.02.2026. The learned counsel would further submit that the petitioner is only a driver and he was directed by A1 to A3, to drive the vehicle and on that instruction, he was given vehicle and the police intercepted the vehicle and recovered 21 kgs of Ganja from the car. It is the specific submission of the petitioner that he, being the driver, has no nexus with any contraband recovered from the car and hence prayed to enlarge the petitioner on bail.

4. However, the above said contention of the learned counsel for the petitioner, was totally objected by the learned Government Advocate (Criminal side) appearing for the respondent police and he would submit that since the recovery of contraband was made from the car, the petitioner, being a driver, is also liable and such possession must be taken into consideration of the



conscious possession of all the occupants of the car and since the petitioner, being the driver, it must also be considered against him. Therefore, 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 above submissions, it is the recovery of 21 kgs of Ganja and as the same has been recovered from the car, as rightly contented by the learned Government Advocate, the petitioner, being a driver, must also be responsible for such possession and the quantity of contraband being 21 kgs, the same being a commercial quantity, the rigors under Section 37 of NDPS Act would attract. However, there are no grounds made out by the petitioner to overcome the same. Therefore, this Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, this Criminal Original Petition is **dismissed**.

MJS

04-06-2026



Note:

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To

1. The Public Prosecutor, High Court, Madras.
2. The Inspector of Police, Kaveripakkam Police Station, Ranipet District.



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C.KUMARAPPAN, J.

MJS

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