



WEB COPY

CRL OP No. 10215 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 10215 of 2026

Tamilselvan S/o. Mani,
D.No.2/103, Velliangadu,
Karamadai
Now at, Kaviya Garden,
Kanuvaipalayamkaramadai,
Mettupalayam (T.K.,)
Coimbatore.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
Karamadai Police Station,
Coimbatore.

..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 C.C. No.140 of 2025 in Crime No.52 of 2025 on the file before the Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore.

For Petitioner(s):	M/S. B.Karthik
For Respondent(s):	Mr.S.Yogaraja Sekar, Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.01.2025 for the alleged offences under Sections 8(c) read with 20(b)(ii)(c),



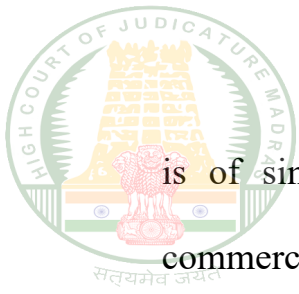
25 and 29 of NDPS Act in Cr. No.52/2025 on the file of the respondent police, seeks bail.

WEB COPY

2. The ***case of the prosecution*** is that based on a secret information with regard to the illegal transportation and sale of Ganja, on 25.01.2025 at around 1 p.m., when the respondent police proceeded to the spot i.e., Karamadai – Velliangadu Road near K. Poongapalayam and were under surveillance, they intercepted a blue colour Royal Enfield motorcycle along with a Mahindra Jeep and when conducted a search, they found the petitioner along with another accused in the illegal possession of 21 kgs of Ganja in the jeep and a further 4 kgs of Ganja was seized from A2 at about 4 p.m., and hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner was remanded to judicial custody on 25.01.2025 and the total recovery is 21.5 kgs of Ganja. Further the learned counsel for the petitioner would invite the attention of this Court in respect of FIR and other things and would content that the very recovery is fictitious and an improbabilize one and prayed to enlarge the petitioner on bail.

4. However, the above said contention has been totally objected by the learned Government Advocate appearing for the respondent police and he would submit that the petitioner has 3 previous cases and out of which, one case

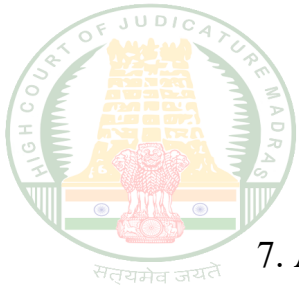


is of similar nature. He would also submit that the present case is of commercial quantity and therefore, he strongly objected the bail application.

WEB COPY

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. While looking into the present factual position, though the petitioner was arrested and remanded to judicial custody on 25.01.2025, investigation was completed and the charge sheet has also been filed, since the quantity involved in this case is a commercial quantity of 21.05 kgs of Ganja, rigors under Section 37 of NDPS Act would attract. Though the learned counsel for the petitioner raised so many contentions from the FIR, this Court is of the firm view that to substantiate the said contentions, it is relevant to examine the witnesses. Therefore, the said contentions raised by the learned petitioner counsel cannot be adjudicated in the bail application. Apart from that, as rightly submitted by the learned Government Advocate, there are 3 previous cases as against the petitioner and out of which, one case is a case of similar nature. Therefore, the past conduct of the petitioner is also not in support of his present case. It is also relevant to mention that the trial has already been begun in this case and PW1 has been examined. Therefore, considering the said circumstances, this Court is of the view that it is not an appropriate case to enlarge the petitioner on bail.



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

WEB COPY

05-06-2026

MJS

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Public Prosecutor, High Court, Madras.
2. The Inspector of Police, Karamadai Police Station, Coimbatore.



WEB COPY

CRL OP No. 10215 of 2



C.KUMARAPPAN, J.

MJS

CRL OP No. 10215 of 2026

05-06-2026