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Crl.O.P.No.10500 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.10500 of 2026

P.Abhishek

... Petitioner(s)

Vs.

The State rep. by the Inspector of Police,
D-1. Triplicane Police Station,
Chennai.
Crime No.1375 of 2025

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.1375 of 2025 pending investigation on the file of the respondent police.

For Petitioner(s) : Mr.L.Pachaiyappan

For Respondent(s) : Mr.S.Yogaraj Sekar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.07.2025 for the alleged offences under Sections 8(c) r/w 20(b)(ii)(C) and 29(1) of the NDPS Act, in Crime No.1375 of 2025 on the file of the respondent police, seeks bail.



2. It is the case of the prosecution that the petitioner was found in possession of 22 kilograms of ganja. Hence, the case.

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3. The learned counsel appearing for the petitioner would submit that, even according to the FIR, the search was conducted on 14.07.2025, whereas, according to the CCTV footage, the police came to the petitioner's residence and took him into custody on 13.07.2025. Therefore, the alleged seizure said to have been effected on 14.07.2025 is false. Apart from that, the learned counsel would submit that the petitioner was merely residing in one portion of the building in which the other accused were also residing and that no specific overt act has been attributed to him. Hence, he prayed for grant of bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of bail, reiterated the prosecution case and, on instructions, submitted that there was a recovery of 22 kilograms of ganja from the petitioner. He further submitted that whatever defence has been raised by the learned counsel for the petitioner can be considered only at the time of trial and that it is too premature to go into such submissions at this stage.

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



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6. The main contention put forth by the learned counsel for the petitioner is that he is a tenant and that he was taken into custody on 13.07.2025. As rightly submitted by the learned Government Advocate (Crl. Side), such a contention can be effectively adjudicated only after evidence is adduced during trial. Therefore, it is too premature to go into such factual aspects at this stage. Further, the quantity of contraband allegedly recovered from the petitioner falls within the commercial quantity. Therefore, the rigour of Section 37 of the NDPS Act would apply. To overcome the statutory embargo contained therein, no material has been placed before this Court by the petitioner.

7. Hence, considering the above facts and circumstances, the statutory embargo contained under Section 37 of the NDPS Act, the submission of the learned Government Advocate (Crl. Side), and having regard to the nature of the allegations, this Court is of the view that it would not be appropriate to grant bail to the petitioner at this stage.

8. Accordingly, the Criminal Original Petition is dismissed.

16.06.2026

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To

1. The learned II Additional Special Court for Exclusive Trial of NDPS Cases at Chennai.
2. The Superintendent, Central Prison, Puzhal, Chennai.
3. The Inspector of Police, D-1. Triplicane Police Station, Chennai.
4. The Public Prosecutor, High Court of Madras

Crl.O.P.No.10500 of 2026



C.KUMARAPPAN,J.

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Crl.O.P.No.10500 of 2026

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