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CRL OP Nos. 11545 and 12958 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP Nos. 11545 and 12958 of 2026

Crl.OP.No.11545 of 2026

Priyanga

..Petitioner

Crl.OP.No.12958 of 2026

Regina Mary

..Petitioner

Vs

The State rep by
The Inspector of Police
PEW- Adyar Police Station,
Chennai.
Crime No.143 of 2025.

..Respondent in both
Crl.OPs

PRAYER in Crl.OP.No.11545 of 2026 : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge this Petitioner Accused on bail in CC.No.1353 of 2025 pending on the file of the learned Sessions I Additional Judge of NDPS Court.

PRAYER in Crl.OP.No.12958 of 2026 : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the above C.C.No.1353 of 2026 on the file of the I Additional Special Court for exclusive Trial of cases under NDPS Act, Chennai.

For Petitioner:
(in Crl.OP.No.11545 of 2026)

Mr.A.Sathish Kumar



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For Petitioner:
(in Crl.OP.No.12958 of 2026)

Mr.G.Ezhilbalaji

For Respondent:

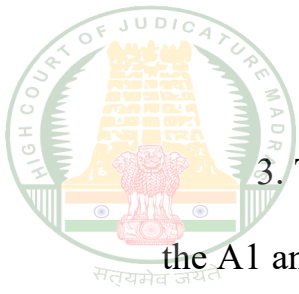
Mr.S.Yogaraja Sekar

Counsel for Government of Tamil Nadu

COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on 14.07.2025 for the alleged offences under Section 8(c) r/w 20(b)(ii)(c) and 29(1) of NDPS Act in CC.No.1353 of 2025 pending on the file of the learned Sessions I Additional Judge of NDPS Court in Cr.No. 143 of 2025 Pending on the file of the respondent police, seeks bail.

2. The learned counsel appearing for A2 submitted that the petitioner in Crl.OP.No.11545 of 2026 is A2 and the petitioner in Crl.OP.No.12958 of 2026 is A1. According to the prosecution case, there were recovery of 15 kgs of ganja from A1 of and 11 kgs of ganja from A2. If it is dealt independently, it is an intermediate quantity and that they have been remanded to judicial custody on 14.07.2025 and charge sheet was also filed on 25.10.2025. In spite of filing of charges, there was no progress in trial for the past 7 months, Hence, the learned counsel for the petitioner would content that considering the intermediate quantity of recovery prayed to enlarge the petitioners on bail.



3. The said contention was reiterated by the learned counsel appearing for the A1 and according to him, what was recovered is only 15 kg.

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4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that A1 and A2 travelled from Chennai to Andhra Pradesh, Rajahmundry, in a train on 13.07.2025 and that there are sufficient materials to demonstrate their travel from Andhra Pradesh to Chennai, and there are also material to demonstrate that A1 contacted A3 and A3 has also transferred some of Rs.78,000/- to the A1 and A2. He further submitted that the petitioners reached Chennai from Rajahmundry on 14.07.2025 via Coromandel Express. Also, it is his contention that since both accused arrested together and that there are abundant evidence to connect both the accused and the alleged close acquaintance between the A1 and A2, he would justify the clubbing of two recoveries. Hence prayed to dismiss the application.

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), though the learned counsel for the petitioner would object the clubbing of two recoveries,



the learned Government Advocate submitted that according to the prosecution case, A1 and A2 travelled from Chennai to Andhra Pradesh, Rajahmundry, in a train on 13.07.2025 and that there are sufficient materials to demonstrate their travel from Andhra Pradesh to Chennai, and there are also materials to demonstrate that A1 contacted A3 and A3 has also transferred some of the money in sum of Rs.78,000/- to the A1 and A2.

7. The main contention put forth by the learned counsel for the petitioner is that the clubbing of two recoveries. While looking into the submissions made by the learned Government counsel (Crl.Side), there are abundant materials so as to connect both A1 and A2 for their travel from Andhra Pradesh, RajyaMundri to Chennai, and that there are also evidence to demonstrate their nexus, through CDR particulars. In such a circumstances, having travelled from Andhra Pradesh to Chennai jointly and having close acquaintance with each other, as rightly contended by the learned Government counsel (Crl.Side), the recovery could very well be clubbed as there is a *prime facie* material to demonstrate the concerted conspiracy to bring both the recovery under section 29 of NDPS Act. In such view of the circumstances, the total recovery amounts to a commercial quantity, and if that being the case, the petitioner must overcome the rigour under Section 37 of the NDPS Act.

8. The only contention put forth by the learned counsel for the petitioner



is that the filing of charge sheet and not proceeding with the trial for a period of last seven months. Though, such delay in trial may be a concern, in all the matters, the delay will not be a ground to enlarge the petitioner on bail and in this connection, this Court is of the firm view that the petitioner has not made out a case to over come the rigour under section 37 of the NDPS Act.

9. Accordingly, both the Criminal Original Petitions stand dismissed.

25-06-2026

SHL

To:

1. The Sessions I Additional Judge of NDPS Court.

2. The Inspector of Police
PEW- Adyar Police Station,
Chennai.

3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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