



WEB COPY

CRL OP No. 10789 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-04-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 10789 of 2026

G.Pandiyan

..Petitioner

Vs

State rep. by
Inspector of Police
Thiyagadurgam Police Station,
Thiyagadurgam, Kallakurichi District.
(Crime No.393 of 2025)

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail and release his in Crime No.393 of 2026 on the file of respondent police.

For Petitioner: Mr.G.Tamilselvan

For Respondent: Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.09.2025 for the alleged offences under Sections 8(c), 20(b)(ii)(C), 29(1), 25 of NDPS Act, in Crime No.393 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 22.09.2025, based on secret information, the respondent police conducted inspection and found the



petitioner along with other accused in possession of 21 kg 700 grams of ganja.

Hence, the case was registered.

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3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that he is a law-abiding citizen having permanent residence and he is ready to cooperate with the investigation. The learned counsel would also submit that the petitioner will abide by any conditions imposed by this Court and will not abscond. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the case involves commercial quantity and the offence attracts the rigour under Section 37 of the Narcotic Drugs and Psychotropic Substances Act (NDPS), 1985 Act. It is further submitted that the petitioner has not satisfied the twin conditions contemplated under Section 37 of the NDPS Act and therefore, he is not entitled to bail.

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

6. This Court is of the view that considering the nature of the allegation and the fact that the case involves commercial quantity, the rigour under Section



37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 Act squarely applies. Further, the petitioner has failed to satisfy the twin conditions as contemplated under Section 37 of the NDPS Act. Hence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

30-04-2026

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To

1. The Inspector of Police, Thiyagadurgam Police Station,
Thiyagadurgam, Kallakurichi District.
2. The Public Prosecutor, High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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