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CRL OP No. 11729 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 11729 of 2026

1. Madhesh @ Madesh
2. Ajithkumar
3. Tony Gowtham

..Petitioners

Vs

State of Tamil Nadu Rep.by,
The Inspector of Police,
B6, Mappedu Police Station,
Tiruvallur District.
Cr.No.64 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.64 of 2026 on the file of the Respondent.

For Petitioner:

M.R.Thangavel

For Respondent:

Mr.S.Yogaraja Sekar
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 21.03.2026 for the alleged offence under Section 8 (c) read with 20(b)(ii)(C) and Section 29(1] of the Narcotic Drugs and Psychotropic Substances Act, 1985



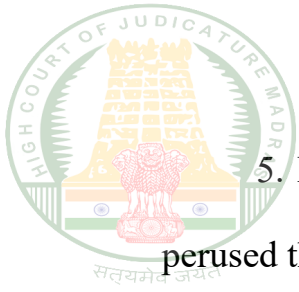
in Crime No.64 of 2026 on the file of the respondent police, seek bail.

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2. The case of the prosecution is that the petitioners were involved in possession of transporting of ganja and seized 5.285 kgs of ganja. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are A1 to A3. The recovery from these petitioners is 5.285 kgs at 12.45 on 21.03.2026 and the recovery of 21.680 kgs from A4 and A5. From A6, yet another recovery of 6.015 kgs. It is the contention of the learned counsel for the petitioners that all these recoveries were from different places and that there was no nexus between the recovery from these petitioners and other accused. If the petitioner's recovery alone is taken into consideration, it is of intermediate quantity. Therefore, the rigour under section 37 of the NDPS Act will not attract.

4. At this juncture, the learned Government counsel (Criminal Side) submitted that the investigation is only at the preliminary stage and there are materials available before them so as to connect all these accused under section 29 of the Act and that if all the recoveries taken together, it would come under commercial quantity. Hence, he prays for grant of bail to the Petitioners.



5. I have given my anxious consideration to either side submissions and perused the materials available on record.

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6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side); as rightly contended by the learned Government counsel (Criminal Side) taking into consideration of commercial quantity involved and the pendency of the investigation, though the learned counsel for the petitioner raised so many defences, it is too premature to go into all those defences. Hence, this Court is of the firm view that the rigour under section 37 of NDPS Act would attract. From the submission of the learned Government counsel (Criminal Side), this Court could not find any material under section 37 of NDPS Act.

7. Accordingly, this Criminal Original Petition stands dismissed.

12-06-2026

SHL

To:

1. The Inspector of Police,
B6, Mappedu Police Station, Tiruvallur District.
2. The Public Prosecutor, High Court of Madras
3. The Principal Special Court under EC & NDPS Act, Chennai.



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C.KUMARAPPAN J.

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