



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 11883 of 2026

1. Ramakanta Majhi S/o. Chaitaan Majhi,
Nalkul, Manikunla,
Nalkul Post, Manikula Diast,
Baleswar, Odisha - 756 002.
2. Alekha Punji S/o. Sarabesa Punji,
Behera,Dalsargi Behera,
Kalahandi Behera, Odisha.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police,
PEW Poonamallee Police Station,
Chennai.
[Cr.No.143 of 2025]

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioners on bail in the case pending on the file of the II Additional Special Court in EC and NDPS Court at Chennai in CC.No.1695 of 2025.

For Petitioner(s):

M/S. S.Sarathkumar

For Respondent(s):

Mr.S.Yogaraja Sekar,
Government Advocate (Criminal side)



ORDER

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The petitioners, who were arrested and remanded to judicial custody on 15.09.2025 for the alleged offences under Section 8(c), 20(b)(ii)(C) and 29(1) of NDPS Act, 1985 in Cr. No.143 of 2025 on the file of the respondent police, seeks bail.

2. The *case of the prosecution* is that on secret information, while the respondent police conducted vehicle checkup near Poonamallee Bus Stand on 15.09.2025 at about 12.30 a.m., found the accused 1 to 3 in an illegal possession of 21 kgs of Ganja and hence the case.

3. The learned counsel for the petitioners would submit that there are about three accused and the petitioners are A2 and A3. It is the specific contention of the learned counsel for the petitioners that though there is a commercial quantity of recovery in this case in Cr. No.143 of 2025, the respondent police have recovered only 7 kgs of Ganja from each petitioner, which is only an intermediate quantity and these petitioners have been under incarceration since 15.09.2025 and hence prayed to enlarge the petitioners on bail.

4. The learned Government Advocate (Criminal side) appearing for the



respondent police opposed the bail application and he would submit that all the three accused joined together, travelled and moved in a suspicious way and when the police suspected them and conducted search in accordance with law, they found all the three accused in possession of 7 kgs of Ganja each. It is the further contention of the learned Government Advocate that these petitioners are aware about the possession of contraband by the other accused and therefore, the recovery from all the three accused has to be taken into jointly, which comes within the commercial quantity. The learned Government Advocate would further submit that the very origin of these petitioners from Orissa would also indicate that the possession of the contraband by each accused would only constitute the conscious possession of all the three persons, which would become a commercial quantity.

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

6. The contention raised by the learned Government Advocate cannot be out-rightly rejected and while going through the factual position that the total recovery in the present case is 21 kgs, though the recovery from the individual accused is only 7 kgs of Ganja each and while taking into consideration of the total, the same would become commercial quantity, hence the rigors under Section 37 of NDPS Act would automatically attract and this Court could not



find any material to overcome the same. Therefore, this Court is not inclined to
enlarge the petitioners on bail.

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

02-06-2026

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, PEW Poonamallee Police Station, Chennai.



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CRL OP No. 11883 of 2



C.KUMARAPPAN, J.

MJS

CRL OP No. 11883 of 2026

02-06-2026