



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP Nos.12115, 12116, 12496 & 12305 of 2026

Thalavaimadan

..Petitioner(s)
in Crl.O.P.No.12115 of
2026

Esakkimuthu

..Petitioner(s)
in Crl.O.P.No.12116 of 2026

Esakki Raja

..Petitioner(s)
in Crl.O.P.No.12496 of 2026

Jebastin

..Petitioner(s)
in Crl.O.P.No.12305 of 2026

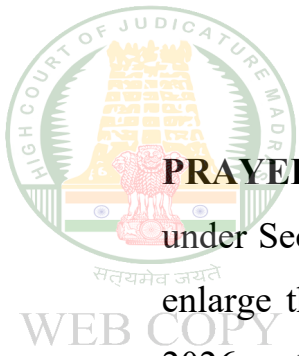
Vs

State, rep by The Inspector of Police
PEW Adyar Police Station,
Chennai.
(Crime No.172 of 2025)

..Respondent(s)
in all Crl.O.P.'s

PRAYER in Crl,O.P.No.12115 of 2026 : Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail pending trial in connection with C.C.No.457 of 2026 on the file of the Sessions Judge, II Additional Special Court for Exclusive Trail of Cases under NDPS Act, Chennai.

PRAYER in Crl,O.P.No.12116 of 2026 : Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail pending trial in connection with C.C.No.457 of 2026 on the file of the Sessions Judge, II Additional Special Court for Exclusive Trail of Cases under NDPS Act, Chennai.



PRAYER in Crl,O.P.No.12496 of 2026 : Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail pending trial in connection with C.C.No.457 of 2026 on the file of the Sessions Judge, II Additional Special Court for Exclusive Trail of Cases under NDPS Act, Chennai.

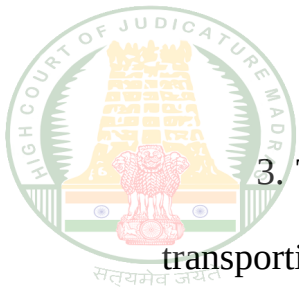
PRAYER in Crl,O.P.No.12305 of 2026 : Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail pending trial in connection with C.C.No.457 of 2026 on the file of the Sessions Judge, II Additional Special Court for Exclusive Trail of Cases under NDPS Act, Chennai.

For Petitioner(s):	Mr.A.Tamilselvan
For Respondent(s):	Mr.S.Yogaraja Sekar Government Advocate (Criminal side)

COMMON ORDER

The petitioners in Crl.O.Nos.12115, 12305 & 12496 of 2026, who were arrested and remanded to judicial custody on 08.09.2025 for alleged offences under Sections 8 (c) read with 20 (b) (ii) (C), 29 (1) and 25 of NDPS Act, 1985, in Crime No.172 of 2025 on the file of the respondent police, seek bail.

2.The petitioner in Crl.O.P.No.12116 of 2026, who was arrested and remanded to judicial custody on 27.09.2025 for alleged offences under Sections 8 (c) read with 20 (b) (ii) (C), 29 (1) and 25 of NDPS Act, 1985, in Crime No.172 of 2025 on the file of the respondent police, seeks bail.



3. The case of the prosecution is that the petitioners were found illegally transporting of 50 kg of Ganja. Hence the case.

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4. The learned counsel for the petitioners submitted that the petitioner in Crl.O.P.No.12115 of 2026 is arrayed as A1 (Thalavaimadan), the petitioner in Crl.O.P.No.12305 of 2026 as A2 (Jebastin), the petitioner in Crl.O.P.No.12116 of 2026 as A3 (Esakkimuthu) and the petitioner in Crl.O.P.No.12496 of 2026 as A4 (Esakki Raja). It is the case of the petitioners that originally, 25 kg of Ganja was recovered from Jebastin (A2) leading to his arrest. Based on his confession, the other accused were subsequently intercepted and arrested. He further submitted that their date of arrest also differ: A1, A2 and A4 were arrested on 08.09.2025, whereas A3 was arrested on 27.09.2025. The learned counsel for the petitioners further submitted that the petitioners have been incarcerated for a long period, no recovery was made directly from A1, A3 and A4 and whatever contraband was seized was recovered only from the boot of the vehicle. Hence, he prays for the grant of bail to the petitioners.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that based on the confession of A2, they intercepted a vehicle at Trichy in which A1, A3 and A4 were travelling and 25kg of Ganja was recovered from its boot. Therefore, A1, A3 and A4 were passengers in that car. At the time of interception, Esakkimuthu (A3) fled from



the scene, which is why he was remanded at a later date, on 27.09.2025. He further submitted that, since A1, A3 and A4 were occupants of the car, the recovery effected from the vehicle must be considered as their concerted, conscious possession, and there is abundant evidence to implicate them. Specifically rooms were booked in the name of A1's father, FastTag entries confirms the travel of the vehicle from Visakapatnam to Trichy and Call Detail Records (CDR) also implicate these accused in the commission of the offences. He further stated that the petitioners have previous cases against them and therefore, strongly opposed the grant of bail.

6. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

7. A total of 50kg of Ganja was recovered: 25 kg from Jebastin (A2) and the other 25kg from the boot of the vehicle in which Thalaivamadan (A1), Esakkimuthu (A3) and Esakki Raja (A4) were travelling. Although it was contended that there was no direct recovery from A1, A3 and A4, they were passengers in that vehicle; since the contraband was recovered from the boot of the car, it is for them to explain how they came to possess it. Therefore, the contention of the learned counsel for the petitioners that no recovery was made from them cannot be accepted at all. At this juncture, it is also relevant to mention the criminal antecedents of the petitioners: A1 (Thalavaimadan) has



two previous cases of similar nature, of which one ended in acquittal; A4 (Esakkiraja) has eight previous cases, including one under the NDPS Act and others under I.P.C; A2 (Jebastin) has one previous case, and A3 (Esakkimuthu) has nine previous cases, two of which are under the NDPS Act. Apart from that, the recovered contraband constitutes a commercial quantity. The petitioner's criminal antecedents also stand against them. Under such circumstances, this Court finds no merits in the submissions of the learned counsel for the petitioners to consider their petitions. Consequently, these Criminal Original Petitions are dismissed.

17-06-2026

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CRL OP No. 12115 of 2



C.KUMARAPPAN, J.

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To

1.The Inspector of Police
PEW Adyar Police Station,
Chennai

2.The Public Prosecutor
High Court of Madras

CRL OP Nos.12115, 12116, 12496 & 12305 of 2026

17-06-2026