



WEB COPY

CRL OP No. 12445 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 12445 of 2026

Tangerine Pitter

..Petitioner(s)

Vs

State Rep.by,
The Inspector of Police,
PEW Adayar Unit,
Chennai.
Cr.No.96 of 2025.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail in CC.No.719 of 2025 on the file of the I Additional Special Court for Exclusive Trial of Cases under NDPS Act , Chennai, in Cr.No.96 of 2025 on the file of the respondent Police.

For Petitioner(s):

Mr.Srikanth Kolla

For Respondent(s):

Mr.S.Yogaraja Sekar

Government Advocate (Criminal side)

ORDER

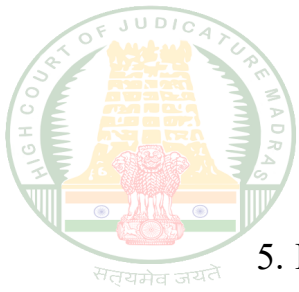
The petitioner, who was arrested and remanded to judicial custody on 08.05.2025 for the alleged offences under Sections 8 (c) r/w 20 (b) (ii) (C) and 29 (1) of the NDPS Act, in Crime No.96 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused was found in illegal possession of 25 kg of Ganja. Hence the case.



3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been in custody since 08.05.2025. He further submitted that there are four accused persons in this case and the petitioner is arrayed as A3. The quantity of ganja recovered from A1 is 21 kg, whereas only about 4kg was recovered from A2. The overt act alleged against the petitioner is that she accompanied A2 at the Tada Railway Station. He further submitted that the recovery from A1 was made at Tiruvanmiyur and from A2 at Tada, representing two distinct recoveries. However, combining these two recoveries so as to make it a commercial quantity is non est in law, which is sufficient to overcome the rigour under Section 37 of the NDPS Act. Hence, he prays to grant bail to the petitioner.

4. *Per contra*, the learned Government Advocate (Criminal Side) appearing for the respondent police strongly objected to this petition. He submitted that according to A1's confession, he went to Anakkapalli in Andhra Pradesh, where he colluded with A2 and bought the above contraband from an individual belonging to Odisha. According to the confession of A2, he had the assistance of A3 and A4 so as to make them as a family to ensure the easy trafficking of the contraband. He further submitted that there are material such as Call Detail Records (CDRs) and train tickets, that demonstrates the concerted conspiracy among them to traffic the contraband. Hence, he opposed for grant of bail to the petitioner.



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

6. The learned counsel for the petitioner urged before this court that the recovery from the first accused was made at Tiruvanmiyur, whereas the recovery from the second accused was at Tada, where the petitioner merely accompanied him. On this ground, he objected to the clubbing of the recoveries made at Thiruvanmiyur and Tada. However, a perusal of the confession statements and the submissions made by the learned Government Advocate reveals that there are sufficient materials to implicate all the accused under Section 29 of the NDPS Act.

7. The defense put forth by the learned counsel for the petitioner can only be adjudicated during the trial and not in a bail petition. Furthermore, considering that the total recovery falls within the category of a commercial quantity, the rigor under Section 37 are attracted, this Court is of the firm view that, the petitioner has not put forth any grounds to overcome the rigour of Section 37 of the NDPS Act. Hence, the Criminal Original Petition is dismissed.

16-06-2026

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C.KUMARAPPAN, J.

EP

To

1.The Inspector of Police,
PEW Adayar Unit,
Chennai.

2.The Public Prosecutor
High Court of Madras.

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