



WEB COPY

CRL OP No. 12179 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 12179 of 2026

Akash (A) Akash Ebinesar

..Petitioner

Vs

State Represented by
The Inspector of Police,
K-6, T.P.Chathram Police Station,
Chennai - 600 010.
Crime No. 179 of 2025.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in C.C. No. 63 of 2026 on the file of the learned Court of Special Judge, II Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai in connection to Crime No.179 of 2025.

For Petitioner:

Mr.P.Rajkumar

For Respondent:

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.07.2025 for the alleged offences under Sections 8(c) r/w 20(b)(ii)(c), 29(1) of Narcotic Drugs & Psychotropic Substances Act, 1985, in Crime No.179 of 2025 on the file of the respondent police, seeks bail.

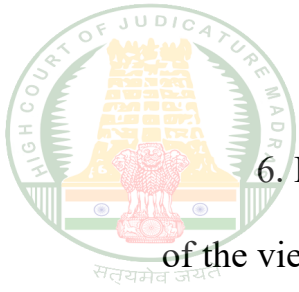


2. The case of the prosecution is that on 22.07.2025, based on information received by the respondent police, the accused persons were found in possession of ganja. A total quantity of 21.430 kilograms of ganja was recovered, out of which 10.745 kilograms along with cash was recovered from A1 and A2 and 10.685 kilograms was recovered from A3. Hence, the case was registered.

3. The learned counsel appearing for the petitioner submitted that A2 has already been enlarged on bail by this Court in Crl.O.P.No.11786 of 2026 dated 07.05.2026 and therefore the petitioner is also entitled to parity. It is further submitted that the petitioner has been falsely implicated and that he is entitled to the same relief granted to the co-accused. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that though A2 was enlarged on bail in Crl.O.P.No.11786 of 2026, the petitioner cannot seek parity. It is further submitted that the petitioner has previous cases of similar nature. Hence, he opposed to grant bail to the petitioner.

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



6. From the submission of the learned counsel on either side, this Court is of the view that the petitioner seeks bail mainly on the ground of parity with A2.

However, on perusal of the order passed in CrI.O.P.No.11786 of 2026 dated 07.05.2026, this Court finds that A2 was enlarged on bail on the facts and circumstances applicable to him. As rightly pointed out by the learned Government Advocate (CrI.Side), the present petitioner has previous cases of similar nature. Therefore, the petitioner cannot claim parity as a matter of right. Considering the criminal antecedents of the petitioner and the nature of the allegations, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

08-06-2026

NSL

To

1. The Inspector of Police,
K-6, T.P.Chatham Police Station,
Chennai - 600 010.

2. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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