



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 12928 of 2026

Johnson

..Petitioner

Vs

The State Represented by
The Inspector of Police
PEW - Pallikaranai Police Station,
Tambaram City, Chennai.
Crime No.14 of 2025

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail concerned in C.C.No. 668 of 2025 on the file of II Additional Special court for exclusive trail of cases under NDPS act, Chennai in Crime No.14 of 2025 to the respondent police.

For Petitioner: Mr.R. Rajadurai

For Respondent: Mr.S.Yogaraja Sekar,
Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.03.2025 for the alleged offence under Section 8(c), 20(b)(ii)(c), 29(1) of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.14 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner along with another accused were found to be in possession of 15 kgs of ganja each. Hence, the case.

3. The learned counsel for the petitioner submitted that he has been remanded on 07.03.2026. It is the submission of the petitioner that petitioner is the first accused and what was recovered was only 15 kg of ganja. He further submitted that A3, the co-accused has already been released on bail. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that there was recovery from the petitioner to the tune of 15 kg of ganja and this petitioner was arrested along with A2, who was also found in possession of 15 kg of ganja which is a commercial quantity and apart from that, the petitioner has got one previous case similar in nature in NIB CID Chennai in Crime No.13 of 2021. Hence he vehemently opposed the bail application.

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 counsel for the petitioner, It is seen that A3 has already been released on bail. However, as submitted by the learned Government counsel (Crl.Side), there was no recovery from him. Therefore, the question of seeking parity with the A3 does not arise in the present case. In view of the recovery of 15 kg of ganja from this petitioner and apart from that there was nexus between both the accused, in such view of the position, the aggregation of both the recovery cannot be found faulted. If that being the case, the same would come under commercial quantity. To overcome the rigour under section 37 of NDPS Act, except the filing of the charge sheet, the petitioner has not raised any ground. As rightly contended by the learned Govt counsel (Crl.Side), the filing of the charge sheet is not a ground to overcome the rigour under section 37 of the Act.

7. Accordingly, this Criminal Original Petition stands dismissed. The trial Court is expected to dispose of the case as expeditiously as possible.

25-06-2026

SHL



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To:

1. The Inspector of Police
PEW - Pallikaranai Police Station,
Tambaram City, Chennai.
2. The II Additional Court for Exclusive trial of
cases under NDPS Act Chennai.
3. The Public Prosecutor
High Court of Madras

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C.KUMARAPPAN J.

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