



WEB COPY

CRL OP No. 13702 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13702 of 2026

Lakshmi

..Petitioner(s)

Vs

Union of Indian
Through Jr.Intelligence Officer,
Narcotic Control Bureau,
Chennai Zonal Unit,
Chennai.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail
pending investigation in CC.No.489 of 2025 in RR.No.45/2023 on the file of
the respondent police.

For Petitioner(s):

M/s. S.Sadhana

For Respondent(s):

Mr.N.P.Kumar

Special Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on
30.09.2024 for the alleged offences under Sections 8 (c) r/w 20 (b) (ii) (C), 25,
27 A, 28 and 29 (1) of NDPS Act, in CC.No.489 of 2025 in RR.No.45/2023 on
the file of the respondent police, seeks bail.

2. The case of the prosecution is that petitioner along with other accused
was found in illegal possession of 52.700 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 30.09.2024. He further submitted that there are approximately three accused persons in this case and the petitioner is arrayed as A2. He also stated that only 2kg of Ganja was recovered from the petitioner which constitutes an intermediate quantity. Hence, he prays to grant bail to the petitioner.

4. Per contra, the learned Special Public Prosecutor appearing for the respondent police submitted that there is a nexus among all the accused. He further submitted materials are available with the prosecution to rope in each accused based on statements from the other accused. Consequently, he strongly opposed the bail application on the ground that, since commercial quantity is involved, the rigours under Section 37 of the NDPS Act are attracted. 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. No doubt the petitioner was arrested and remanded to judicial custody on 30.09.2024 and according to the prosecution, the total recovery was 52.700kg of Ganja. As rightly submitted by the learned Special Public Prosecutor, although only 2kg of Ganja was recovered directly from the



petitioner, since according to the prosecution there was a nexus among all the accused, the recovery from the other accused must also be construed as conscious possession on the part of the petitioner. This is a huge quantity that falls within the definition of a commercial quantity. Therefore, the petitioner has not putforth any grounds to overcome the rigours of Section 37 of the NDPS Act. Consequently, the Criminal Original Petition is dismissed.

09-06-2026

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To

1.Union of Indian
Through Jr.Intelligence Officer,
Narcotic Control Bureau,
Chennai Zonal Unit,
Chennai.

2.The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN, J.

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