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CRL OP No. 14001 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. 14001 of 2026

Sridhar

..Petitioner(s)

Vs

State, Rep by,
The Inspector of Police
Vanagaram Police Station,
Chennai District.
(Crime No. 108 of 2026)

..Respondent(s)

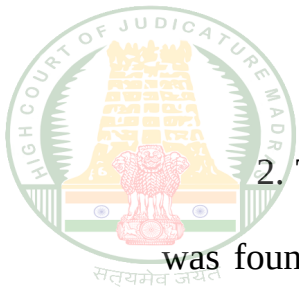
PRAYER : Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the Petitioner on bail pending investigation in connection with Crime No. 108 of 2026 on the file of the Respondent Police.

For Petitioner(s): Mr.A.Tamilselvan

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

ORDER

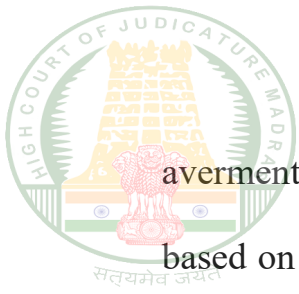
The petitioner, who was arrested and remanded to judicial custody on 10.03.2026 for the alleged offences under Sections 8 (c), 20 (b) (ii) (A), 22 (c) and 29 (1) of NDPS Act, 1985, in Crime No.108 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that petitioner along with other accused was found in illegal possession of 34 MDMA tablets weighing 15 grams 200 grams of OG Ganja. Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been in custody since 10.03.2026. He further submitted that there are approximately four accused persons in this case, and the petitioner is arrayed as A2. He also stated that, according to the prosecution, the entire recovery of 34 MDMA tablets was made from A1. He submitted that the petitioner was arrayed as an accused solely based on the confession of A1, and no recovery was effected from the petitioner. To substantiate his arguments, he relied upon the orders of this Court dated 03.06.2026 and 20.05.2026 passed in Crl.O.P.Nos.12530 & 9321 of 2026, wherein the co-accused namely A3 and A4 were enlarged on bail by this Court on the ground that they were implicated based on the confession of the co-accused (A1). He further submitted that, in the present case, there is no recovery from the petitioner and he stands on the same footing as he was also implicated based on a confession. Therefore, he submitted that parity must be shown to the petitioner and prayed for the grant of bail to the petitioner.

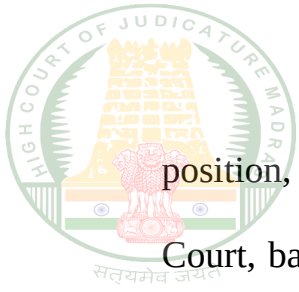
4. *Per contra*, the learned Government Advocate (Criminal Side) appearing for the respondent police submitted that even according to the



averments made in the First Information Report, A3 and A4 were implicated based on the purchasing 200 g of OG Ganja from A1 and A2 for their personal consumption. He further submitted that while the implication of A3 and A4 was based upon a confession which was considered by this Court and granted bail to A3 and A4, whereas the case of the petitioner is entirely different. The petitioner was travelling along with A1 and the recovery of 15 g consisting of 34 MDMA Tablets was recovered jointly from A1 and A2.

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. Admittedly this Court granted bail to A3 and A4 in Crl.O.P.Nos.12530 & 9321 of 2026. The only point for consideration now is whether the petitioner can claim parity with the co-accused (A3 and A4). It is well settled that parity must be determined based on the specific role played by each individual accused. According to the above mentioned orders, A3 and A4 were implicated based upon a confession statement which indicated that they had received the contraband for personal consumption. However, the petitioner was travelling along with A1 when the recovery of 15 g of MDMA tablets was effected, making him a part of the said recovery. Therefore, as rightly contended by the learned Government Advocate (Criminal side), the petitioner cannot claim parity with the co-accused who were granted bail. Looking into the factual



position, since the contraband involved constitutes a commercial quantity, this Court, based on the submission made by the learned counsel for the petitioner, cannot not find any grounds to overcome the rigours under Section 37 of the NDPS Act. Consequently, the Criminal Original Petition is dismissed.

09-06-2026

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To

1. The Inspector of Police
Vanagaram Police Station,
Chennai District.

2. The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN, J.

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