



WEB COPY

CRL OP No. 16408 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16408 of 2026

Devasaran

..Petitioner

Vs

State Represented by
The Inspector of Police,
Tiruppur South Police Station,
Tiruppur District.
Crime No.242 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge this petitioner on bail concerned in
Crime No.242 of 2026 pending on the file of the respondent.

For Petitioner:

Mr.M.N.Balakrishnan

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
21.05.2026 for the alleged offences under Sections 8(c) r/w 20(b)(ii)(B) and
29(1) of NDPS Act, 1985, in Crime No.242 of 2026 on the file of the
respondent police, seeks bail.



2. The case of the prosecution is that the petitioner was found in possession of 1 kilogram and 150 grams of ganja, which is an intermediate quantity. Hence, the case was registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in the present case and has been roped in only for statistical purposes. It is submitted that the quantity recovered from the petitioner is only 1 kilogram and 150 grams, which is an intermediate quantity and therefore the rigour under Section 37 of the NDPS Act would not apply. The learned counsel would further submit that there are totally three accused in the case and one of the co-accused has already been enlarged on bail by this Court in Crl.O.P.No.15353 of 2026 dated 18.06.2026. Hence, he prayed for grant of bail.

4. The learned Government Advocate (Crl.Side) strongly opposed the bail application and submitted that though the recovery from the petitioner is of intermediate quantity, the petitioner is a habitual offender having six previous criminal cases, out of which one case is for the offence under Section 302 of Indian Penal Code, 1860. Hence, he prayed for dismissal of the bail application.

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



6. This Court is of the view that though the quantity recovered from the petitioner is 1 kilogram and 150 grams of ganja, the criminal antecedents of the petitioner cannot be ignored. The petitioner has six previous criminal cases to his credit, including one case for the offence under Section 302 of Indian Penal Code, 1860. Taking into consideration the nature of the allegation and the past criminal antecedents, if the petitioner is enlarged on bail at this stage, it would send a wrong signal to the society. Therefore, this Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, this Criminal Original Petition stands dismissed.

29-06-2026

NSL

To

1. The Inspector of Police,
Tiruppur South Police Station,
Tiruppur District.

2. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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