



WEB COPY

CRL OP No. 30842 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 30842 of 2025

1. Karthikeyan
S/o.Kalaiyarasan, No.1/546, 4th Street
Jothi Nagar, Padiyanallur, Redhills,
Chennai-52.

Petitioner(s)

Vs

1. State Rep by the Sub Inspector of
Police
M-4, REDHILLS Police Station,
Chennai-52 Crime No.605 of 2024

Respondent(s)

PRAYER

To enlarge the petitioner on bail Pending in the above C.C.No.932 of 2024 filed before the Honble I Addition EC and NDPC Court at Chennai and pass such further or other order that this Honble Court deem fit for the facts and circumstance and thus render Justice.

For Petitioner(s): P.Santhosh

For Respondent(s): Mr.A.Gopinath,
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.07.2024, for the alleged offence punishable under Sections 8(c), 20(b)(ii)(c) and 25 of the NDPS Act, 1985 in Crime No.605 of 2024 on the file of the



respondent police, seeks bail.

WEB COPY

2. The allegation against the petitioner/A3 is that he joined hands with other accused, involved in possession and transportation of 32 kgs of ganja in an Eicher lorry. They were intercepted by the respondent police on prior information, and after completing mandatory procedures, they were arrested on 01.07.2024. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that this Court earlier dismissed the bail applications of the petitioner in Crl.O.P.Nos.26577 & 26529 of 2024, with a direction to complete the trial within a period of 6 months and also granted liberty to the petitioner to renew the application if the trial was not concluded within that period. Further submitted that the trial is not concluded, and the recovery from the petitioner is only 6 kgs of ganja. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the total quantity seized in this case is 32 kgs of ganja. This Court earlier dismissed the contention that the recovery from the petitioner is only 6 kgs, holding that section 37 of the NDPS Act is applicable to the case of the petitioner herein. Hence, he opposed for grant of bail to the petitioner.



5. I have gone through the order passed by this Court in Crl.O.P.Nos.26577 & 26529 of 2024 dated 03.04.2025, wherein it is stated that section 37 of the NDPS Act is applicable to the case of the petitioner since he was in possession of 32 kgs, which is commercial quantity, recovered from the lorry in which he was traveling, constituting conscious possession. Since it has been held that section 37 of the NDPS Act is applicable to the case of the petitioner, the petitioner is not entitled to contend that the recovery from him is only 6 kgs.

6. Further the learned Government Advocate (Crl.Side) submitted that out of 8 listed witnesses, LW1 to LW6 have been examined, after dispensing with 3 witnesses, and the trial is progressing. Considering the nature of the offence and other connected materials, I am not inclined to reconsider the earlier order. Accordingly, this Criminal Original Petition is dismissed.

07-01-2026

Mpa
Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



WEB COPY

CRL OP No. 30842 of 2025



To

1.State Rep by the Sub Inspector of
Police

M-4, REDHILLS Police Station,
Chennai-52 Crime No.605 of 2024

2.The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL OP No. 30842 of 2025



K.RAJASEKAR J.
mpa

**CRL OP No. 30842 of
2025**

07-01-2026