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CRL OP Nos. 34420 & 34423 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP Nos. 34420 & 34423 of 2025

1. G.Senthilnathan
S/O. MR.Ganesan,
No.17,Muthuramalinga Devar Street,
Bhuvaneshwari Amman
Nagar,Thailavaram, Maraimalai Nagar,
Chengalpattu

Petitioner in
Crl.O.P.No.34420 of 2025

V.Balamurugan
S/o. Vivekanandhan, No.6-3437,
Koolamitta, Sullurpettai, Nellore,
Andhra Pradesh.

Petitioner in
Crl.O.P.No.34423 of 2025

Vs

1. State Rep.by The Inspector of Police,
NIB CID , Kancheepuram Crime
NO.23 OF 2024

Respondent in both
Crl.O.P.s

COMMON PRAYER

To enlarge the petitioner on bail pending trial in CC.No.356 of 2025 on the file of the Special Judge, I Additional Special Court for Exclusive Trial of Cases under NDPS Act at Chennai.

For Petitioners in both Crl.O.P.s M.G.Marthin Manivannan

For Respondent in both Crl.O.P.s Mr.A.Gopinath
Government Advocate (Crl.Side)



COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on 17.10.2024, for the offences punishable under Sections 8(c), r/w. 20(b)(ii)(c), 25 & 29(1) of NDPS Act in Crime No.23 of 2024, in CC.No.356 of 2025 on the file of the Special Judge, I Additional Special Court for Exclusive Trial of Cases under NDPS Act at Chennai, seeks bail.

2.The allegation against the petitioners is that the petitioners, joining hands with other accused, indulged in transportation of 200 kgs of Ganja in a goods vehicle by hiding the same under the bunch of Bananas. It is also alleged by the prosecution that they have received prior information and after deducing the same in writing, they intercepted two vehicles, viz., one is a goods vehicle which was carrying the Bananas and another vehicle which was said to be escorting the goods vehicle. The police recorded that A2 was driving the vehicle bearing Reg.No.AP-21-TX-0102 White colour Force trax goods vehicle and which contained 200 kgs of Ganja and the police have arrested all the four persons and the final report is also filed stating that the vehicle was driven by A2 was inspected and the contraband was recovered. In the final report it is not stated who travelled in the goods vehicle carrying contraband. It is stated that all the four persons involved in the offence and that two vehicles were used for transporting the Ganja.



3.The learned counsel for the petitioners submitted that the petitioners are ranked as A3 and A4 in this case. According to them they travelled in the car and they were not aware about the contraband transported in the goods vehicle and he further relied on the seizure memo which states that the contraband was seized from the vehicle driven by Shanmuganantha (A2) @ Prabu. The seizure memo has not indicated who are all persons travelled in the goods vehicle and who are the persons escorted the same by using the car. Apart from the magazar there is no other materials has been produced before the trial Court to show that these petitioners had also travelled in the goods vehicle. He further submitted that the co-accused has already been granted bail by this Court in Crl.O.P.No.23202 of 2025 dated 21.11.2025. Hence, he prayed for grant of bail to the petitioners.

4.The learned Government Advocate (Crl.Side) for the respondent reported that the petitioners are ranked as A3 and A4 and they travelled in the also travelled in Honda Amaze car vehicle Reg.No.Ap-39-uh-5461 and A2 travelled in goods vehicle and they escorted the goods vehicle. He further stated that A1, A3 and A4 are brothers known to each other and they were also aware about the contraband which was hidden in the goods vehicle. To buttress his arguments, he relied on the confession statement recorded from each accused. He further submitted that the investigation is concluded, the final report is also



filed and in the final report, it has been stated that all the persons were involved in transportation of Ganja. Hence, he opposed for grant of bail to the petitioners.

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5. The reasons stated for granting bail to the A1 are squarely applicable to the petitioners also, though it is stated that the learned Government Advocate (Crl.Side) contended that there are some other circumstances which indicate that the petitioners have also accompanied A2 in this case, these facts were also placed before me based on the confession only; there are no independent facts or legally admissible facts to substantiate the same. Hence, I am of the view that the petitioners are also entitled to the grant of bail on the ground of parity and also on the reasons stated for A1, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned I Additional Special Court under (EC) and NDPS Act cases, Chennai*, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[b] the petitioners shall report before the Trial Court daily at 10.30 a.m., for a period of two weeks.

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself, as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

22-01-2026

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



Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The I Additional Special Court under (EC) and NDPS Act cases, Chennai.

1. State Rep. by The Inspector of Police,
NIB CID, Kancheepuram Crime
NO.23 OF 2024

3. The Superintendent,
Central Prison, Puzhal.

4. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR J.
mpa

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