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Crl.OP.No.34945 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2026

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.34945 of 2025

Nadim Khan

... Petitioner

Vs.

The State rep by
The Inspector of Police,
PEW-Tambaram Unit,
Tambaram District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in C.C.No.776 of 2025 in connection to the Cr.No.66 of 2025 pending on the file of the I Additional Special Judge under NDPS Act Cases, Chennai.

For Petitioner : Mr.P.Muthamizhselvakumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.04.2024 for the alleged offence under Sections 8(c) r/w 20(b)(ii)



(C)NDPS Act in Cr.No.66 of 2025 on the file of the respondent police,
seeks bail.

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2. The allegation against the petitioner is that he is involved in possession and transportation of 21 kgs of ganja. Based on the prior information, the petitioner was intercepted by the respondent on 29.04.2025 at about 14.30 hours. After compliance of mandatory provisions, search and seizure conducted and contraband was seized and the case has been registered. Now, the present petition has been filed by the petitioner for seeking bail.

3.The learned counsel appearing for the petitioner submitted that the petitioner is is incarceration from 29.04.2025 and he has not produced the contraband as alleged. It was recovered from the nearby ground, where the petitioner was standing. Now, the investigation has been concluded and final report also filed. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that after completion of investigation, final report also filed before the learned I Additional Special Judge under NDPS Act Cases, Chennai and the same was taken on file in C.C.No.776 of 2025. He further submitted that it is a case of commercial quantity. Hence, Section 37 of NDPS Act is applicable to this



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case and simply raising suspicion to grant bail is not sufficient. Hence, he opposed for grant of bail to the petitioner.

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5. I have also gone through the FIR and other connected materials and it revealed that the petitioner was intercepted by the respondent and after compliance of mandatory provisions, 21 kgs of ganja, which is a commercial quantity was recovered. Though it is stated that ganja was recovered from the nearby place in the ground, in the FIR and other connected materials, shows that the ganja was recovered from this petitioner and the bag was handed over by this petitioner. Hence, the petitioner's contentions that no recovery was effected is not sustainable and since the seized contraband is of commercial quantity, Section 37 of NDPS Act is applicable to this case. The petitioner has not makes out and to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

24.02.2026

Vv

To

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1. I Additional Special Judge under NDPS Act Cases,
Chennai.

2. The Inspector of Police,
PEW-Tambaram Unit,
Tambaram District.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

Vv

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