



CRL OP(MD). No.11109 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 12.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL OP(MD)No.11109 of 2025

Kannan

... Petitioner/
Accused No.1

Versus

The State of Tamil Nadu,
Represented by the Inspector of Police,
Prohibition Enforcement Wing,
Melur, Madurai.
(in Crime No.569 of 2024)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 483 of the BNSS, 2023, to enlarge the petitioner on bail in connection with Crime No.569 of 2024 on the file of the respondent police.

For Petitioner : Mr.C.Mayil Vahana Rajendran

For Respondent : Mr.S.Ravi
Additional Public Prosecutor



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ORDER : The Court made the following order :-

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The petitioner/A1, who was arrested and remanded to judicial custody on 15.10.2024 for the offences punishable under Sections 8 (c), r/w 20(b)(ii) (c), 25 and 29(i) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.569 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 15.10.2024, at about 04.00 p.m., the Special Sub Inspector of Police received a secret information that the petitioner was transporting Ganja in a Lorry bearing Registration No.TN-64-AA-0127 from Andhra Pradesh to Madurai. Based on the said information, the lorry was intercepted by the respondent police and the petitioner was allegedly found in possession of 85 Kg of Ganja. Hence the complaint.

3. The learned counsel for the petitioner submits that the petitioner has filed the second bail petition. He further submitted that other co-accused were released on bail. Therefore, he prays for the grant of bail to the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent submitted that there was no change of circumstances. Further, the petitioner has not satisfied with the requirements under Section 37 of the NDPS Act.

5. On perusal of the materials available on records it is seen that the petitioner has earlier filed a bail petition in CrI.O.P(MD) No.5745 of 2025, dated 28.04.2025, this Court passed the order in paragraph No.7 is as follows:

7. In view of above records, there are sufficient materials available on record to show that the petitioner involved in the offence. The respondent-police seized 85 kgs of ganja on the spot from the petitioner, which constitutes a commercial quantity. The petitioner has not established a prima facie case for the grant of bail. The materials collected by the Investigating Agency prima facie shows that the petitioner has committed this crime. The petitioner has not satisfied the twin conditions stated in Section 37 of the NDPS Act. In view of the rigours statement of Section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioner. Furthermore, if bail is granted to the petitioner, he may abscond and thereby delaying the investigating proceedings. Considering the cumulative circumstances, this Court is not



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inclined to grant bail to the petitioner at this stage.

6. Considering the specific overt act alleged against the petitioner that he is in possession of huge quantity of ganja and there is no change of circumstances and the petitioner has failed to satisfy the requirements under Section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

12.03.2026

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To

1. The Inspector of Police,
Prohibition Enforcement Wing,
Melur, Madurai
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
3. The Principal Special Court for Trial of
Narcotic Drugs and Psychotropic Substances Act Cases,
Madurai.
4. The Superintendent,
Central Prison,
Madurai.



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K.K.RAMAKRISHNAN,J.

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ORDER
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