

(2026) 02 MAD CK 1739

In the Madras High Court

Case No : Criminal Original Petition No. 2119 Of 2026

Rupesh

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 13-02-2026

Acts Referred:

Narcotic Drugs And Psychotropic Substances Act, 1985 — Section 8(c), 20(b)(ii)(B), 37

Citation : (2026) 02 MAD CK 1739

Hon'ble Judges : K. Rajasekar, J

Bench : Single Bench

Advocate : M. Rajasekar, A. Gopinath

Final Decision : Dismissed

Judgement

K. Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 06.12.2025 for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(B) of NDPS Act, 1985 in Crime No.1411 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on a specific information, the respondent went to Tiruppur Railway Station and based on the identification given by the informant, the respondent intercepted the petitioner herein; that after complying all the mandatory provisions under the NDPS Act, search and seizure was conducted, thereby it is found that the petitioner was in illegal possession of 2.870 kilograms of Cannabis resins (Ganja or Hashish chocolates), which is a commercial quantity. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in judicial custody since 06.12.2025; that the alleged contraband seized in this case is not a cannabis resin, it is only a tablet used for ayurvedic purpose; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought

for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and submitted that the contraband seized is not ayurvedic tablets as contended by the petitioner, it is cannabis resin; that the contraband seized is 2.870 kilograms, which is a commercial quantity, hence rigors of Section 37 of the NDPS Act is applicable to the case of the petitioner herein; and that the investigation of this case is pending.

5. Considering the submissions made, facts and circumstances of the case, the quantity of contraband involved in this case is commercial quantity and the fact that the investigation of this case is pending, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this criminal original petition stands dismissed.