



CNR: KAHC010576972026

NC: 2026:KHC:51751
CRL.P No. 12953 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 21ST DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 12953 OF 2026

BETWEEN:

MOHAMED ADIL @ MACHCHI
S/O RIZWAN PASHA
@ MOHAMED RIZWAN,
AGED ABOUT 25 YEARS
R/AT 11TH D CROSS
NEAR ABUBACKER MASJID
ARFATH NAGAR, GORIPALYA
WEST PADARAYANAPURA
BENGALURU - 560 026.

...PETITIONER

(BY SRI ABDUL NABI, ADV.)

AND:

THE STATE OF KARNATAKA
HEBBAL P.S, BENGALURU
REP. BY STATE PUBLIC
PROSECUTOR, HIGH COURT
BUILDINGS, BENGALURU - 560 001.

...RESPONDENT

(BY SRI CHANNAPPA ERAPPA, HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS)
PRAYING TO ENLARGE THE PETITIONER ON BAIL IN
CR.NO.24/2026(SPL.C.C.NO.1646/2026 OF HEBBAL P.S REGISTERED
FOR THE ALLEGED OFFENCES PUNISHABLE U/S 8 (c), 22(c) OF
N.D.P.S ACT THE FILE OF CITY CIVIL AND SESSIONS JUDGE(CCH-
35) BENGALURU.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER
WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

Digitally
signed by
NANDINI M S
Location:
HIGH COURT
OF
KARNATAKA



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ORAL ORDER

1. Accused No.1 in Spl.C.C.No.1646/2026 pending before the Court of XXXIV Addl. City Civil & Sessions Judge & Special Judge (NDPS), Bengaluru, arising out of Crime No.24/2026 registered by Hebbal Police Station, Bengaluru City for the offences punishable under Sections 8(c) & 22(C) of the Narcotic Drugs & Psychotropic Substances Act, 1985 (for short 'NDPS' Act) is before this Court in this petition filed under Section 483 of BNSS, 2023 seeking regular bail.

2. Heard the learned counsel appearing for the parties.

3. FIR in Crime No.24/2026 was registered by Hebbal Police Station, Bengaluru City against unknown person for the offence punishable under Section 22 of NDPS Act based on the first information received from Sri Mallappa, Police officer, attached to Hebbal Police Station. During the course of investigation, the petitioner was arrested on 29.01.2026 and from his possession contraband article allegedly methamphetamine totally weighing 77 grams was seized under panchanama. After completing investigation, charge sheet is



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filed against the petitioner for the aforesaid offences. His bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.7351/2026 was dismissed on 05.08.2026. Therefore, he is before this Court.

4. The sample of seized contraband article was forwarded to Forensic Science Laboratory for the purpose of chemical examination. The laboratory report would go to show that, sample of the drug has tested positive to a drug known as 'Methamphetamine' and negative to the drug known as 'MDMA'. The quantity of seized contraband article in the present case is 77 grams and the said quantity is considered as commercial quantity under the relevant notification issued under the provisions of NDPS Act.

5. During the course of arguments, learned HCGP has brought to the notice of this Court that the petitioner is a person with criminal antecedents and there are 7 other criminal cases registered against him. Out of the same, 4 cases are registered against the petitioner for the offences punishable under the provisions of NDPS Act. Under the circumstances, the



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rigor under Section 37(1)(b) of the NDPS Act clearly gets attracted against the petitioner and in view of the twin conditions in the aforesaid provision of law, I am of the opinion that the prayer made by the petitioner for grant of regular bail cannot be entertained at this stage.

6. Learned counsel for the petitioner has not pointed out before this Court that the prosecution has failed to comply the mandatory provisions of NDPS Act at any stage of investigation in the present case. Since the seized contraband article is of commercial quantity and the petitioner is a person with criminal antecedents, I am of the opinion that the prayer made by the petitioner for grant of regular bail cannot be entertained at this stage.

7. Accordingly, criminal petition is dismissed.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE