



CNR: KAHC010617992026

NC: 2026:KHC:53872
CRL.P No. 13800 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 28TH DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 13800 OF 2026

BETWEEN:

MOHAMMED AZHARUDIN
S/O SHAJI
AGED ABOUT 28 YEARS
R/AT TACHUKULAM
EDAKKUNNAM P.O
EDAKKUNNAM DIST, KOTTAYAM
KERALA - 686 512.
(PETITIONER IS IN JC)

...PETITIONER

(BY SRI AKASH RAJU, ADV.)

AND:

STATE OF KARNATAKA
BY NANDINI LAYOUT POLICE STATION
BENGALURU, REPRESENTED BY
THE STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BANGALORE.

...RESPONDENT

(BY SRI RAHUL RAI K, HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS)
PRAYING TO ENLARGE HIM ON BAIL, IN CR.NO.308/2026, WHICH
WAS REGISTERED BY THE RESPONDENT POLICE ON 06.07.2026 U/S
22 OF THE NDPS ACT 1985, WHICH IS PENDING BEFORE THE
HONBLE XXXIV ADDL. CITY CIVIL AND SESSIONS JUDGE, SPECIAL
JUDGE FOR NDPS, BENGALURU.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY



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ORAL ORDER

1. Accused No.4 in Crime No.308/2026 registered by Nandini Layout Police Station, Bengaluru, for the offence punishable under Section 22 of the NDPS Act, 1985, is before this Court in this petition filed under Section 483 of BNSS, 2023, seeking regular bail.
2. Heard the learned counsel for the parties.
3. FIR in Crime No.308/2026 was registered by Nandini Layout Police Station, Bengaluru, for the aforesaid offence against unknown person based on the first information dated 06.07.2026 received from Prakash Naik, police officer attached to Nandini Layout Police Station. During the course of investigation of the said case, petitioner was arrested on 08.07.2026 and remanded to judicial custody. His bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.7500/2026 was rejected on 13.08.2026. Therefore, he is before this Court.
4. It is the case of the prosecution that on 06.07.2026 at about 11 a.m. upon receiving credible information, FIR was



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registered in the present case against unknown person and in the raid that was conducted subsequently to the alleged place, where the accused was making attempts to sell contraband article to public, police had apprehended accused No.1/Yadhu Ashokan, S/o P. C. Ashokan, and from his possession, contraband article allegedly MDMA totally weighing 150 grams was recovered and seized under a panchamana. It appears that during the course of interrogation, accused No.1 allegedly had stated that accused Nos.2 to 4 in the present case were also part of the illegal business of drug trafficking done by him. It is under these circumstances, subsequently, petitioner, who is arraigned as accused No.4 in present case was arrested on 08.07.2026 and remanded to judicial custody. It is not in dispute that no contraband article has been seized from the possession of the petitioner in present case. Learned HCGP fairly submits that petitioner no other criminal antecedents. Seizure of contraband article in the present case is only from accused No.1, who is in custody. Since, there is no other material collected by the prosecution except the confession statement of accused No.1, the rigor under Section 37(1)(b) of



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the NDPS Act, cannot be strictly made applicable against the petitioner in the present case. Under the circumstances, the following order:-

5. The petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.308/2026 registered by Nandini Layout Police Station, Bengaluru, for the offence punishable under Section 22 of the NDPS Act, 1985, subject to the following conditions:

- a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum, to the satisfaction of the jurisdictional Court;
- b) The petitioner shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts his appearance for valid reasons;
- c) The petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;
- d) The petitioner shall not involve in similar offences in future;



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e) The petitioner shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against him is disposed off.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

DN
List No.: 1 Sl No.: 75