



WEB COPY

CRL OP No. 3854 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 3854 of 2026

M. Roopesh
S/o. Manju Parkavi,
D.No.56-F, MGR Nagar,
Madukkarai Road,
Kuruchi Sundarapuram,
Coimbatore.

..Petitioner(s)

Vs

State of Tamil Nadu, Rep by the Inspector of
Police
Pew Police Station,
Coimbatore City,
Coimbatore District.
Crime No.147/2025.

..Respondent(s)

PRAYER: To enlarge the Petitioner on bail in C.C. No.219 of, 2025 on the file of Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore and thus render justice.

For Petitioner(s): A.E.Ravichandran

For Respondent(s): Public Prosecutor



ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.06.2025 for the alleged offence **under Section 8(c), 22(c), 25 & 29(1) of NDPS Act, 1985 in Crime No.147 of 2025** on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 22.06.2025 at about 08.00 hours, based on secret information, the respondent police went to the place of occurrence and caught hold by the petitioner along with other accused having found in illegal possession of A1 having 55gms of methamphetamine and A2 having 20 grams of methamphetamine and the same was seized along with two wheeler, two mobile phones under the cover of seizure mahazar in the presence of witnesses and recorded their confession statement. The confession statement it revealed that the petitioner along with his friend A2 used to purchase the contraband from Bangalore and to sell the same inside the Tamil Nadu for their personal gain.

3. Earlier bail petition of the petitioner was dismissed on 09.10.2025 in Crl.O.P.No.21645 of 2025 on the following reasons:

“6. Though it is stated that the petitioner herein was having some mental illness but records produced to show that he was under mental illness in the month of October 2024 and the petitioner was arrested for illegal possession of contraband of 55 gms of methamphetamine on 22.06.2025 and investigation is still



pending and illegal possession of contraband is commercial quantity rigors of Section 37 of NDPS Act is also applicable in this case and so far, the petitioner is not able to satisfy the twin conditions as contemplated under Section 37 of NDPS Act, this Court is not inclined to grant bail to the petitioner.”

4. The learned counsel for the petitioner submitted that the petitioner is a 19 years old boy and now the investigation is concluded and the final report is also filed and the petitioner is not having any previous case. Hence, he prayed to grant bail to the petitioner.

5. Admittedly, for granting bail fro commercial quantity cases under NDPS Act, the negation is the rule and granting bail is an exception. For the purpose of granting bail, the petitioner has to make out grounds for releasing on bail to satisfy the twin conditions contemplated under Section 37 of the NDPS Act. Filing of the final report is not a ground for granting bail. Further, the ground that no previous case is reported against the petitioner is also not a valid ground for granting bail. Hence, there are no grounds made out for satisfying Section 37 of the NDPS Act, and this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

17-02-2026

MPA



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To

1. State of Tamil Nadu, Rep by the Inspector of Police
Pew Police Station,
Coimbatore City,
Coimbatore District.
Crime No.147/2025.

2.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

MPA

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