



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13001 of 2026

Raju@Raji

..Petitioner(s)

Vs

State Rep by
The Inspector of Police
K-8, Arumbakkam Police Station,
Chennai,
Crime No.441 of 2024

..Respondent(s)

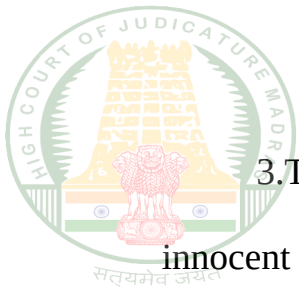
Prayer:- Criminal Original Petition is filed under Section 483 of BNSS, 2023, pleaded to enlarge the petitioner on bail pending trial in CC No.643 of 2025 on the file of the II Additional Special Judge for NDPS Act Cases at Chennai.

For Petitioner(s):	Mr.O.Chembulingam
For Respondent(s):	Mr.S.Yogaraja Sekar, Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.02.2026 for the alleged offences under Sections 8 (c) r/w 22 (b), 22 (c), 29 (1), 25 and 20 (b) (ii) (A) of NDPS Act, in Crime No.441 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, along with the other accused was found in illegal possession of 34.22 grams of Methamphetamine and 10 grams of Ganja . Hence the case.



3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been in custody since 02.02.2026. He further submitted that recovery was effected only from A1, A10, A11 and A13; even among them 1 kg of Methamphetamine was recovered from A1, while considerably lesser quantity were recovered from the other accused persons. He further contended that no recovery was effected from the petitioner and that he has been implicated solely based on the confession statement of the co-accused. He further stated that co-accused (A4, A5, A7, A10, A11, A12, A14, A15, A16, A18) have already been released on bail; and no recovery was effected from them. Therefore, the petitioner is entitled to have a parity with the other accused.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police contended that though there was no recovery from the petitioner, there is evidence showing he is closely associated with A1, from whom 1kg of Methamphetamine was recovered. He further contended that according to the confession statement of A1, A1 contacted the petitioner on his mobile phone and has requested to make arrangements and find buyers for the Narcotic Substance for personal gain.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.



6. Based on Paragraph No.14 of the counter statement, it appears that the contraband was subsequently sold to A7. According to the learned counsel for the petitioner, A7 has already been enlarged on bail, a fact that was not seriously disputed by the learned Government Advocate. However, the learned Government Advocate relied upon the past criminal antecedents of the petitioner, submitting that the petitioner has three previous cases pending against him and therefore he is not entitled to parity. He further submitted that the orders granting bail to the co-accused did not discuss the pendency of their previous cases. Hence, he strongly opposed for grant of bail to the petitioner.

7. Admittedly, there is no recovery of contraband from the petitioner and the petitioner was implicated solely based on the confession statement of A1. According to the A1's confession, as explained in paragraph No.14, he spoke to the petitioner to arrange for a person to sell the Narcotic Substance. It is also stated in Paragraph No.14, that A6/ petitioner colluded with A1, A4 and A5 to buy the contraband from A2 and sell it to A7. Now that the above A4, A5 and A7 were enlarged on bail. It is not seriously disputed that A4, A5, A7, A10, A11, A12, A14, A15, A16, A18 have already been enlarged on bail.

8. Admittedly, there is no recovery from the petitioner. Therefore, as rightly contended by the learned counsel for the petitioner, the petitioner is entitled to parity with the co-accused who were enlarged on bail. Furthermore,



considering that the petitioner has been incarcerated since 02.02.2026, this court is of the firm view that his further custody is not necessary for the purpose of investigation. Consequently, this Court is inclined to grant bail to the petitioner with certain conditions.

9. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties each for a like sum to the satisfaction of the learned **II Additional Special Judge for NDPS Act Cases, Chennai**, and subject to the following conditions:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent daily morning at 10.30 a.m. until further orders;

[c] the petitioner shall surrender his passport before the Investigating Officer forthwith and shall not leave the country without obtaining prior permission from the jurisdictional Trial Court. In the event the petitioner is not in possession of a passport, he shall file an affidavit before the Trial Court to that effect.

[d] the petitioner shall not abscond either during investigation or trial;



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[e] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[f] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[g] **if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.**

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1.II Additional Special Judge for NDPS Act Cases,
Chennai.

2.The Superintendent of Prison,
Central Prison, Puzhal.

3.The Inspector of Police
K-8, Arumbakkam Police Station,
Chennai,

4.The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN, J.

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