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CRL OP No. 19699 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-08-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 19699 of 2026
AND
CRL OP NO. 17791 OF 2026

Ahamed Faizal
S/o.Hayathkhan,
No.104, Shanmugarayan Street,
7 Wells, Backside of Stanley Hospital, Chennai.

..Petitioner(s)

Vs

The State represented by
The Intelligence Officer
Directorate of Revenue Intelligence,
Coimbatore Regional Unit, Coimbatore.

..Respondent(s)

CRL OP No. 17791 of 2026

Mohamed Fasith Ali
S/o Jawahar Ali,
No.42, West Vaigai Colony,
Annanagar, Alavandhan,
Gandhi Nagar, Madurai.

..Petitioner(s)

Vs

The State Represented by
The Intelligence Officer
Directorate of Revenue Intelligence,
Coimbatore Regional Unit, Coimbatore.
INF.NO.DRI/CRU/VIII/48/ENQ-01/INT-01-2026

..Respondent(s)



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Criminal Original Petitions filed under Section 483 of BNSS, praying to enlarge the petitioners on Bail in F.No.DRI/CRU/VIII/48/ENQ/INT-01-2026 on the file of Respondent.

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For Petitioner(s): in Crl.OP.19699/26	Mr.R.C.Paul Kanagaraj
For Petitioner: in Crl.OP.17791/26	Mr.V.Omprakash
For Respondent(s):	Mr. N.P. Kumar, Special Public Prosecutor *****

COMMON ORDER

The petitioner in Crl.O.P.No.17791 of 2026 is A1 and the petitioner in Crl.O.P.No.19699 of 2026 is A2. Both the petitioners were arrested and remanded to judicial custody on **04.04.2026 & 05.04.2026** respectively.

2.This is a case of recovery of 24.68 kgs of pseudoephedrine. According to the prosecution, the said pseudoephedrine was illegally transported through parcel by way of a misdeclaration as a Bed Sheet.

3.The learned counsel for the petitioner would submit that no grounds of arrest was given and there is no recovery from these petitioners and this is only



a controlled substance and not a narcotic substance, so as to attract NDPS Act.

It is their further case that they have been falsely implicated in this case. Hence, prayed to enlarge the petitioners on bail.

4.*Per contra*, the said contention was stoutly objected by the learned Special Public Prosecutor and would contend that pseudoephedrine is a raw material for methamphetamine. Though this is not a Narcotic drug to attract Section 37 of NDPS Act, the fact that huge quantity of 24.68 kgs was recovered and that the investigation is still pending and the charge sheet is yet to be filed. Hence, prayed to dismiss these petitions.

5.I have given my anxious consideration to either side submissions.

6.This is a case of recovery of 24.68 kgs of pseudoephedrine. The main contention advanced by the learned counsel for the petitioner is by referring the order of the learned Single Judge dated 22.01.2025 in ***Crl.O.P.No.31813 of 2024 [Ahamed Basha and another Vs. The State]***, even for 112 kgs of pseudoephedrine, this Court has granted bail. But, the present case is distinguishable from the above case. Both the learned counsel had argued about the recovery and also upon the ground that the driver who drove the vehicle took charge of the vehicle only at Erode, though the vehicle originated from



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Chennai. Furthermore, they were implicated based upon the confession statement of the other accused. The very contention of the petitioner is that the charge sheet has been filed. But, while considering the submissions of the learned Special Public Prosecutor, the investigation is at preliminary stage and the respondent police is taking efforts to apprehend the persons who are materially concerned in the offence. Therefore, as rightly submitted by the learned Special Public Prosecutor, if any of the accused is let off at this stage, the same would definitely jeopardise the prosecution case.

7.As rightly submitted by the learned counsel for the petitioner, the rigour under Section 37 of NDPS Act does not apply to the present case. However, considering the quantity which is of 24.680 kgs of pseudoephedrine and that the pendency of the investigation and the possibility of tampering with the evidence and influencing the independent witnesses and also upon the fact that the way in which the controlled substance was allegedly taken by disguising it as a Bedsheet, this Court is of the firm view that it is not a fit case and an appropriate stage to enlarge the petitioners on bail.

8.Accordingly, these Criminal Original Petitions are dismissed.

05-08-2026

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To

1.The Intelligence Officer
Directorate of Revenue Intelligence,
Coimbatore Regional Unit,
Coimbatore.

2.The Public Prosecutor
Madras High Court.



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C.KUMARAPPAN J.

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