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CRL OP No. 21088 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2026

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THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 21088 of 2026

Abdhul Jaffer

..Petitioner

Vs

The State Represented by
The Inspector of Police
PEW Redhills Unit,
Chennai.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in CC No.1780/2025 pending on the file of the I Additional Special Court for EC and NDPS at Chennai.

For Petitioner:

Mr.S.Kasirajan

For Respondent:

Mr.M.M.I.Khaleel
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.07.2025 for the alleged offences under Sections 8(c) r/w sections 20(b)(ii)(C) of Narcotic Drugs & Psychotropic Substances Act, 1985 in CC.No.1780 of 2025 on the file of the I Additional Special Court for EC and NDPS at Chennai, seeks bail.



2. The case of the prosecution is that the petitioner was found to be in possession of 20.100 kgs of ganja. Hence, the case.

3. The learned counsel for the petitioner submitted that as per the prosecution, the contraband seized is more than 20 kg, which is a commercial quantity. At this juncture, the learned counsel for the petitioner invited the attention of this Court to the Certificate of drawing of Court samples, in which it is stated that the total recovery of contraband comes around 19.956 kgs of ganja (0.080 kgs + 0.076 kgs + 19.800 kgs), which comes under the threshold of intermediate quantity.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and fairly conceded to the contention raised by the learned counsel for the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that the recovery was made on 11.07.2025 whereas the samples were sent to forensic lab on 23.10.2025, which is evident from the Forensic Examination Report and that there is delay in forwarding the samples to the FSL and the petitioner was arrested on 11.07.2025 and he is in custody since then for more than a year. He further submitted that charge sheet has been filed and taken on file as



CC.No.1780 of 2025 on the file of the I Additional Special Court for EC and NDPS Court, Chennai. Hence, he prays for grant of bail to the Petitioner.

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6. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

7. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side); considering the totality of the circumstances and considering the long incarceration of the petitioner and upon the fact that the quantity involved is an intermediate quantity, this Court is of the firm view that the rigour under Section 37 of the NDPS Act is not attracted. Hence, this Court is inclined to grant bail to the petitioner subject to certain conditions.

8. 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 I Additional Special Court for EC and NDPS Act, Chennai.**, and on further conditions that:

[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 Court concerned everyday at 10.30 a.m until further orders;

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

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

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

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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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. The I Additional Special Court for EC and NDPS Act,
Chennai.
2. The Superintendent, Central Prison, Puzhal.
3. The Inspector of Police
PEW Redhills Unit,
Chennai.
4. The Public Prosecutor,
High Court of Madras.



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N.RAMESH, J.

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