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Crl.O.P.No.2358 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

CORAM

**THE HONOURABLE MR JUSTICE K. RAJASEKAR**

**CRL OP NO.2358 of 2026**

Syed Al Ameer

... Petitioner/ Accused

Vs

The State rep. by,  
The Inspector of Police,  
PEW Adyar Unit,  
Chennai.  
(Crime No.479 of 2024)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in C.C.No.249 of 2025 on the file of the learned II Additional Special Court for NDPS Act Cases at Chennai.

**For Petitioner(s)** : Mr. P. Syed Abdul Mashood

**For Respondent(s)** : Mr. A. Gopinath  
Government Advocate (Crl. Side)

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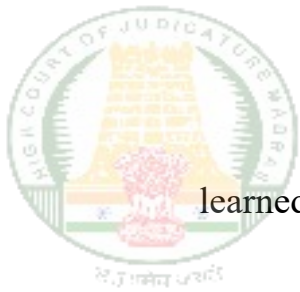
## ORDER

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The petitioner, who was arrested and remanded to judicial custody on 08.10.2024 in C.C.No.249 of 2025 on the file of the learned II Additional Special Court for NDPS Act Cases at Chennai, for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(B), 22(c), 29(1) and 25 of NDPS Act, 1985, seeks bail. The earlier bail application of the petitioner was dismissed by this Court, vide order dated 25.10.2025 in Crl.O.P.No.28741 of 2025 for the following reasons:

*“5. I have also gone through the orders passed by this Court in Crl.O.P.No.10547 of 2025, dated 08.10.2025 and Crl.O.P.No.19615 of 2025, dated 24.10.2025. It has been specifically observed that the quantity seized from the petitioners therein was categorized as an “intermediate quantity”, whereas, 34 Rose Colour MDMA Ecstasy Tablets weighing 15.30 grams were recovered from the petitioner herein, which constitutes a commercial quantity. Since a commercial quantity has been recovered from the petitioner, the petitioner does not satisfy the conditions prescribed under Section 37 of the NDPS Act, for granting bail. The petitioner herein by relying upon the orders of the co-accused to seek bail, but the grounds for the co-accused are different and therefore, this petitioner herein could not be claim the same. Hence, this Court is not inclined to grant bail to the petitioner.”*

2. Heard the learned counsel appearing for the petitioner and the



learned Government Advocate (Crl. Side) appearing for the respondent.

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3. This Court had already considered the submissions made by the learned counsel for the petitioner regarding the ground that the co-accused were released on bail and also the fact that the final report is also filed.

4. The Three Bench judgment of the Apex Court in *Narcotics Control Bureau vs. Mohit Aggarwal [2022 0 AIR(SC) 3444]* has held that length of the period of custody or the fact that charge-sheet has been filed and trial has commenced are by themselves not considerations that can be treated as persuasive grounds for granting relief under Section 37 of the NDPS Act.

5. In this case, the petitioner has not made out any grounds in this present petition to satisfy the conditions under Section 37 of the NDPS Act, hence this Court is not inclined to once again reconsider the bail application of the petitioner.

**K. RAJASEKAR, J.**

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6. Accordingly, this criminal original petition stands dismissed.

**17.02.2026**

stn

To

1. The Inspector of Police,  
PEW Adyar Unit,  
Chennai.  
(Crime No.479 of 2024)
2. The Public Prosecutor,  
High Court of Madras.

**Crl.O.P.No.2358 of 2026**