



WEB COPY

CRL OP No. 2668 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2668 of 2026

Thirupathi
S/o. Mani,
Door No.9, V.O.C. Street,
Thirumzhisai, Gudapakkam,
Thiruvallur, Tamil Nadu-600 124

..Petitioner(s)

Vs

State rep Inspector of Police
B7, Vellavedu Police Station,
Crime No. 99 of 2025.
Thiruvallur District.

..Respondent(s)

PRAYER:Criminal Original Petition filed under Section 483 of BNSS Act, 2023, to enlarge the petitioner on bail in Crime NO.99 of 2025 pending investigation on the file of the respondent police and render Justice.

For Petitioner(s):

M.Manivelan

For Respondent(s):

Mr.A.Gopinath

Government Advocate(Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.03.2025, for the alleged offence punishable under Sections 8(c) r/w. 22(c) of the NDPS Act, 1985 in Crime No.99 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 26.03.2025 at about 11.00 hours, based on secret information, the respondent police along with team went to the scene of occurrence and found that three unknown persons were standing in suspicious manner and caught them and conducted enquiry with A1/Thirupathi, A2/Christober @ Sathish and A3/Anand and found that they are in illegal possession of 335 grams of Tamadol Tablet (Commercial quantity) and they were arrested on the spot and, based on their confession, the officials seized the properties along with contraband from the place of occurrence in the presence of witnesses. Hence, the case has been registered.

3. The learned counsel for the petitioner submitted that all the co-accused were released on bail in Crl.O.P.Nos.17414, 17773 & 23310 of 2025 dated 02.01.2026 and the petitioner is in incarceration nearly one year and the final report is also filed. Hence, he prays for the grant of bail to the petitioner.

4. This Court has earlier granted bail to A2 to A4 in Crl.O.P.Nos.17414, 17773 & 23310 of 2025 dated 02.01.2026 on the following reasons:

“7. I have gone through the final report produced before this Court by the learned counsel for the petitioner and on it reveals that totally six witnesses have been cited, and whom one of the witness is the officer who conducted the search and LW 2 to LW4 are the witnesses to the search and seizure. It is also



seen from the statements recorded from the said witnesses that, except for the alleged confession, there is no other materials connecting the petitioners with the seized contraband. In the absence of confession there is no prima facie material available in this case, which is sufficient to satisfy the contention of the petitioners that, they have been falsely implicated in this case, Though previous cases cited majority of cases are I.P.C offences, hence I am of the view that Section 37 of the NDPS Act is being satisfied by the petitioners. Hence, this Court is inclined to grant bail to the petitioners subject to certain conditions.”

5. Whereas in this case, the allegations against the petitioner are that the entire recovery of 335 grams of Tramadol tablets in commercial quantity was made from the petitioner herein and the filing of the final report and continuous incarceration of the petitioner is not a valid ground to grant bail under Section 37 of the NDPS Act. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed and the order passed with regard to the co-accused is not applicable to the petitioner.

25-02-2026

MPA



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To

1.State rep Inspector of Police
B7, Vellavedu Police Station,
Crime No. 99 of 2025.
Thirvallur District.

2.The Public Prosecutor,
High Court, Madras.

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K.RAJASEKAR, J.

MPA

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