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Crl.O.P.No.2107 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2026

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.2107 of 2026

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... Petitioner/A6

Vs.

The State represented by
The Inspector of Police,
V5 Thirumangalam Police Station,
Chennai.
(Crime No.750 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.750 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.R.C.Paul Kanagaraj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
06.01.2026, for the offence punishable under Sections 8(c) read with Section
22(b) of NDPS Act @ under Section 20(b)(ii)(A) & 22(b) of NDPS Act in
Crime No.750 of 2025, registered on the file of the respondent, seeks bail.



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2. The allegation against the petitioner is that the petitioner is ranked as A3 in this case. Originally A1 was arrested with 0.040 LSD Stamp and 10 grams OG ganja. On investigation, it revealed that A1 is part of network of the drug peddlers in the city of Chennai and it revealed that totally 5 accused have been collaborated and involved in the offences. After arresting and recording the statement from other accused, it further revealed that the larger network of drug peddlers involved in Chennai city, particularly selling it into the elite groups of various professional fields. Based on the confession recorded from A1, A2 and A4, it revealed that, petitioner also actively participated in the group along with them and he also used to pay money and in this transaction, he paid Rs.9,000/- by UPI and he was arrested at Airport while attempting to leave the country and further investigation is going on. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that total quantity seized in this case is not a commercial quantity and the contraband seized from the petitioner is only 2 grams which is very small quantity. He further submitted that co-accused has been granted bail by this Court. Hence, he prayed to grant bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent vehemently opposed granting bail to the petitioner on the ground that the investigation revealed that larger network of ganja peddlers acting in the various fields across Chennai and the petitioner has not co-operated for the investigation and though the quantity seized at the time of arresting other accused is only small quantity however cash to the extent of Rs.21 lakhs have been recovered which revealed that larger network is involved in this case and the investigation has to be carried out and if the petitioner is granted bail, it will hamper the investigation. Hence, he opposed to grant bail to the petitioner.

5. I have gone through the records and other statements of the various accused. Though it is stated that accused are involved in larger network of ganja peddlers, the fact remains that the quantity seized in this case which falls within the definition of small quantity. The petitioner herein is in incarceration from 06.01.2026 and considering the fact the co-accused has been granted bail by this Court, hence, this Court is inclined to grant bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail on their 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 **XIII Metropolitan Magistrate Court, Egmore** 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 respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;



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[f] 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]**;

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

02.02.2026

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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.



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K.RAJASEKAR, J.

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To

1. XIII Metropolitan Magistrate Court, Egmore.

2.The Inspector of Police,
V5 Thirumangalam Police Station,
Chennai.

3.The Sub Jail, Saidapet

4.The Public Prosecutor,
High Court of Madras.

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