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CRL OP No. 3571 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

CRL OP No.3571 of 2026

AND

CRL OP NO. 9998 OF 2026,CRL OP NO. 1805 OF 2026,CRL OP NO. 4308 OF 2026,CRL OP NO. 8442 OF 2026,CRL OP NO. 35737 OF 2025,CRL OP NO. 4603 OF 2026,CRL OP NO. 8805 OF 2026

1. Ajith

S/o. Devaraj, No.18/13, A-Block, 3rd
Street, Ezhil Nagar, Kodungaiyur,
Chennai District.

Petitioner(s)

Vs

1. The State represented by,
Inspector of Police, P-6 Kodungaiyur
Police Station, Chennai. Crime No.579
of 2025

Respondent(s)

CRL OP No. 9998 of 2026

1. Ranjith @ Periya Pambu
S/o.Arumugam, No.45, Nehru Nagar,
10th Street, Tondaiyarpur, Chennai -
600 081.

Petitioner(s)

Vs

1. The State rep by, The Inspector of
Police
P-6, Kondungaiyur Police Station,
Chennai District. (Crime No.579/2025)

Respondent(s)



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CRL OP No. 1805 of 2026

1. J.Aravind @ Dolu
S/o. JAGAN, NO.67, B, BLOCK, R.R.
NAGAR, KODUNGAIYUR,
CHENNAI-600118

Petitioner(s)

Vs

1. State Rep By
The Inspector Of Police, P-6
Kodungaiyur Station, Chennai Crime
No.579 Of 2025

Respondent(s)

CRL OP No. 4308 of 2026

1. Firoz Reza @ Kajaha
S/o. Shalilur Ahamed, Ward 20, Azad
Nagar, Araria (Dis) Bihar-8544311.

Petitioner(s)

Vs

1. The State Rep. by Inspector of Police
P6, KODUNGAIYUR P.S., Pulianthope,
Chennai District.

Respondent(s)

CRL OP No. 8442 of 2026

1. Subash
S/o. Madhankumar, No.302A, C Block,
RajaRathinam Nagar, 2nd street, Ezhil
Nagar, Kodungaiyur, Chennai.

Petitioner(s)

Vs

1. State rep by,
Inspector of Police, P6, Kodungaiyur
Police station, Chennai. Crime
No.579/2025.

Respondent(s)



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CRL OP No. 35737 of 2025

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1. Faijohn Ahammed Alias Faizan
Ahamed
S/o.Faiyaz Ahamed, No.1158, 18th
Central Cross Street, MKB Nagar,
Vyasarpadi, Chennai-600 039

2.Sadhak Ussain Alias Shadab Hussain
S/o.Nasaraq Kathoon, Kannadhasan
nagar, Dharulum Masjid Madharsha,
Kodungaiyur, Chennai - 600118.

Petitioner(s)

Vs

1. The State Rep. By
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai District.

Respondent(s)

CRL OP No. 4603 of 2026

1. Sanjay @ Chichi
Son of Kesavan, No.90, B
Kalyanapuram Main Road, Vyasarpadi,
Chennai - 600 039

Petitioner(s)

Vs

1. state rep by
Rep by the Inspector of Police, P-6
Kodungaiyur Police Station, Chennai.
Crime No.579/2025

Respondent(s)

CRL OP No. 8805 of 2026

1. Praveen Kumar @ Gullu
S/o.Venkatesan, No.537, E-Block,
J.J.Nagar, Korukkupet, Chennai - 21.

Petitioner(s)

Vs

1. The State rep by, The Inspector of



CRL OP No. 3571 of 2026

Police

P-6, Kodungaiyur Police Station,
Chennai District.

(Crime No.579 of 2025)

Respondent(s)

COMMON PRAYER

Criminal Original Petitions filed under Section 483 of BNSS, praying to enlarge the Petitioners on bail in Connection with the Crime No.579 of 2025 on the file of the Respondent Police.

For Petitioner(s) in Crl.OP.No.3571/2026:	Mr.D.Padmanabhan
For Petitioner(s) in Crl.OP.No.9998/2026:	Mr.S.Sathish Rajan
For Petitioner(s) in Crl.OP.No.1805/2026:	Mr.K.Sarath Babu
For Petitioner(s) in Crl.OP.No.4308/2026:	Mr.Pranava Charan.M.D
For Petitioner(s) in Crl.OP.No.8442/2026:	Mr.D.Padmanabhan
For Petitioner(s) in Crl.OP.No.35737/2025:	Mr.K.Shanmugam
For Petitioner(s) in Crl.OP.No.4603/2026:	Mr.M.Illiyas
For Petitioner(s) in Crl.OP.No.8805/2026:	Mr.D.Padmanabhan
For Respondent(s):	Mr.S.Vinoth Kumar Govt. Advocate (Crl.Side)

COMMON ORDER

The petitioners in Crl.OP.No.35735 of 2025 [Faijohn Ahammed @ Faizan and Sadhak Ussain @ Shadab Hussain] are the accused 4 & 7, the petitioner in Crl.OP.No.1805 of 2026 [J.Aravind @ Dolu] is the 2nd accused, the petitioner in



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Crl.OP.No.3571 of 2026 [Ajith] is the 6th accused, the petitioner in Crl.OP.No.9998 of 2026 [Ranjith @ Periya Pambu] is the 3rd accused, the petitioner in Crl.OP.No.4308 of 2026 [Firoz Reza @ Kajaha] is the 9th accused, the petitioner in Crl.OP.No.8442 of 2026 [Subash] is the 8th accused, the petitioner in Crl.OP.No.4603 of 2026 [Sanjay @ Chichi] is the 5th accused and the petitioner in Crl.OP.No.8805 of 2026 [Praveen Kumar @ Gullu] is the first accused.

2.According to the prosecution, on 19.11.2025 at about 23.00 hours, while Mr.Muralishankar, Sub-Inspector of Police was on station duty, on receiving reliable information, they have searched one Praveenkumar @ Gullu/A1 and other accused. While apprehending A1 to A6, Subash/A8 managed to escape from the spot. On conducting search in accordance with law, the respondent police recovered Nitrazepam Tablets I.P (Nitzascen-10) totally 1800 tablets from the possession of the accused. Thereafter, the above accused were arrested and on recording the confession statement, they came to know the involvement of Sadhak Ussain/A7 viz., the petitioner in Crl.OP.No.35737/2025. He would submit that he had purchased the same from an unknown person in the State of Bihar. They came to know about the involvement of the 9th accused/ Pyros Riza @ Kaaja through the confession statement of the 4th accused Faijohn



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Ahammed @Faizan Ahamed and Sadaq Hussain @ Shadab Hussain/A7. Still, Faijohn Ahammed @Faizan Ahamed (A4) and Subash/A8 are the absconding accused.

3.The learned counsel for the petitioners would submit that the A9 was subsequently arrested on 29.11.2025 and the other accused were arrested on 21.11.2025. It is the submission of the petitioners that 120 tablets were recovered from A2 and there was no recovery from A5 and A6. The learned counsel for the petitioners would submit that A4 and A7 though belong to Bihar, they went to Bihar only to write B.Ed., examination and that A7 was simply implicated in this case since because he is the relative to A4. In all these cases, it was contended that no grounds of arrest were given. In this regard, the learned counsel relied upon various judgments of the Hon'ble Supreme Court including the judgment in *Mihir Rajesh Shah Vs. State of Maharashtra* reported in (2026) 1 SCC 500. The learned counsel for the petitioner would rely upon the judgment of the Hon'ble Supreme Court in *SLP(CRL.) No.3326 of 2026 [Dr.Rajender Rajan Vs.Union of India and another]*, and would contend that if no grounds of arrest is given, the petitioners are entitled for a bail.

4.Per contra, the learned Government Advocate (Crl.Side) would strongly oppose to grant bail by stating that this is a case of a commercial quantity and a



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commercial quantity of contraband was recovered from A1 & A3 and that from A2 and A8, an intermediate quantity of contraband was recovered. He would further submit that there are 10 previous cases against A1 and 9 previous cases against A8. He would also submit that the investigation is at the preliminary stage and they have to examine the further witnesses and they have to collect the report from forensic science laboratory. The learned Government Advocate (Crl.Side) would submit that though there were no recovery from few accused, the investigation reveals that they were acting jointly along with the other accused and there are materials to prove the money trials as well as CDR particulars. He would stoutly deny the submission that the petitioners were not given the grounds of arrest and to substantiate the same, he has filed grounds of arrest of all these accused.

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

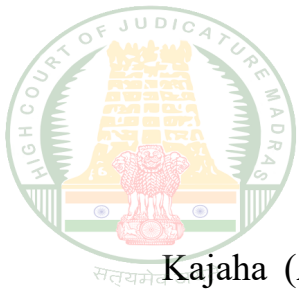
6.In respect of non recovery from certain accused, as rightly contended by the learned Government Advocate (Crl.Side), it is too premature to go into those aspects as the investigation is at the preliminary stage. The learned Government Advocate (Crl.Side) would submit that they are collecting CDR particulars and also other materials, to establish the money trials. Therefore, the question of going into such factual aspects at very threshold and would jeopardise the



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prosecution. However, from the submissions of the learned counsel for the petitioners, they have raised an objection in respect of the grounds of arrest. It is their contention that since the petitioners were not given grounds of arrest as contemplated under the ratio of Hon'ble Supreme Court in **Mihir Rajesh Shah's** case (cited supra), their rights conferred under Article 21 & 22 has vitiated. Therefore, they are entitled to have a bail.

7.No doubt, the present case is subsequent to the pronouncement of the judgment of the Hon'ble Supreme Court in **Mihir Rajesh Shah's** case (cited supra) [on 06.11.2025]. Therefore, there is a duty cast upon the respondent to give a grounds of arrest. In **Mihir Rajesh Shah's** case (cited supra), the concept of grounds of arrest jurisprudence has been dealt in detail, where it has been categorically held that the grounds of arrest should be provided to the accused, so as to defend himself before a bail Court or during his remand. In this case, the learned Government Advocate (Crl.Side) has submitted the grounds of arrest of these petitioners. In the grounds of arrest, the petitioners were explained as to why they have been arrested and what time they have been arrested. The arrest intimation has clearly explained that these petitioners were arrested for illegally keeping the contraband for sale. This was also acknowledged by the petitioners. However, the learned counsel for the petitioner appearing for Firoz Reza @



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Kajaha (A9) would submit that there was no recovery and that there was a license to run the medical shop. It is the contention that he was not at all informed the grounds of arrest in a language known to him qua in Hindi. However, in the information of arrest, the accused signed in English and the arrest memo was also given in the language of English. Firoz Reza @ Kajaha (A9) was categorically admitted that he was informed about the arrest for illegal sales of Narcotic tablets.

8.From the above acknowledgment of Firoz Reza @ Kajaha (A9) and the similar acknowledgment of the other accused, this Court is of the firm view that the respondent police have complied the ratio of Hon'ble Supreme Court in ***Mihir Rajesh Shah***'s case (cited supra) by giving the grounds of arrest. Though the learned counsel for the petitioners relied upon the judgment in ***SLP(CRL.) No.3326 of 2026 [Dr.Rajender Rajan Vs.Union of India and another]***, the Court did not take the arrest memo as the grounds of arrest. Further, even according to the prosecution case of the above reported case, the grounds of arrest were informed to the accused orally. But, in the case in hand, these petitioners were informed the grounds of arrest by written information. Therefore, the above ruling is not applicable to the present facts of the case. Therefore, this Court is of the firm view that the petitioners were served with



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the grounds of arrest. Hence, the defence of grounds of arrest urged by the learned counsel for the petitioners must fail.

9. Coming to the rigour under Section 37 of NDPS Act, this is a case of a commercial quantity and according to the prosecution case, though there was no recovery from some of the petitioners and they have been implicated based upon the confession, according to the prosecution, the investigation is still pending. Therefore, the grounds raised by the petitioners in respect of a non-recovery of contraband cannot be gone into at this stage. Hence, this Court absolutely does not find any merits in all these petitions.

10. Accordingly, all the Criminal Original Petitions are dismissed.

24-04-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To
1. The X Metropolitan Magistrate,
Egmore, Chennai.
2. The State represented by,
Inspector of Police,
P-6 Kodungaiyur Police Station,
Chennai.
3. The Public Prosecutor
High Court, Chennai-104.



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C.KUMARAPPAN J.

kmi

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2026, 8442 OF 2026,
35737 OF 2025, 4603 OF
2026 & 8805 OF 2026**

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