



Crl.OP.No.4310 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.02.2026
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THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.4310 of 2026

Vikram Kumar
S/o Vinoth Kumar

... Petitioner

Vs.

The State
Represented by Inspector of Police,
H-6, R.K. Nagar Police Station,
Ennore High Road, RK Nagar,
Korukkupet, Old Washermanpet,
Chennai-600 021
(Cr.No.33 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of arrest in Crime No.33 of 2026 on the file of the respondent police.

For Petitioner : Mr.T. Gowthaman, Sr Advocate for
Mr.Rishab R Jain

For Respondent : Mr.C.E. Pratap
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
31.01.2026 for the alleged offence under Sections 8(c), r/w Section 22(b)
and 29(1) of NDPS Act, 1985 in Crime No.33 of 2026 on the file of the
respondent police, seeks bail.

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2. The case of the prosecution is that this petitioner is running a medical shop and he was found in possession of 900 numbers of tapentadol tablets and 63 numbers of nitrazepam tablets. It is reported that based on the statement recorded from the co-accused, the tablets were seized and the petitioner was arrested. Hence, the present case.

3. The learned senior counsel appearing on behalf of the petitioner submitted that this petitioner is running a medical shop and only based on the prescription he is selling the tablets and he has not sold the tablets by violating any rules. He further submitted that the petitioner has been falsely implicated in this case and he is in judicial custody from 31.01.2026. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by the this Court. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and reported that the petitioner was found in possession of 900 numbers of Tapentadol Tablets and 63 numbers of nitrazepam tablets which is a commercial quantity. He



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further submitted that there is no previous case pending against the petitioner. However, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Admittedly in this case 63 numbers of nitrazepam tablets seized from the petitioner, falls within the list of scheduled drugs of the Narcotic drugs and Psychotropic Substances Act, 1985 (NDPS Act) and the same is not a commercial quantity. Further the Tapentadol tablets does not fall within the above schedule under NDPS Act.

7. Considering the above facts; submissions made by both sides; the period of incarceration undergone by the petitioner; taking note of the intermediate quantity involved in this case and there is no previous case pending against the petitioner, I am inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned I Additional Special Court for NDPS** and on further conditions that:



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[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 at 10.30 a.m for a period of three weeks and thereafter as and when required for interrogation;

[c] 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]**;

[d] 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 **learned I Additional Special Court for NDPS**

2. The Inspector of Police,
H-6, R.K. Nagar Police Station,
Ennore High Road, RK Nagar,
Korukkupet, Old Washermanpet,
Chennai-600 021

3. The Superintendent, Central Prison,
Puzhal

4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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