



WEB COPY

CRL OP No. 4556 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 4556 of 2026

Akash

S/o. Moorthy,

..Petitioner(s)

Vs

State rep by Inspector of Police,

H-3, Tondiarpet Police Station

Chennai.

Crime No. 42 of 2026.

..Respondent(s)

Prayer: This petition is filed under Section 483 of BNSS to enlarge the petitioner on bail pending investigation in Crime No.42 of 2026 pending investigation on the file of the respondent and thus render Justice.

For Petitioner(s):

Mr. M.Mohammed Riyas

For Respondent(s):

Mr.A.Gopinath

Government Advocate(Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.02.2026, for the alleged offence punishable under Sections 8(c), 22(b), 25



and 29(1) of the NDPS Act, 1985 in Crime No.42 of 2026 on the file of the respondent police, seeks bail.

WEB COPY

2. The allegation against the petitioner is that the petitioner is that he was found in possession of 45 grams of Nitrovet Tablets and he was arrested and he is in judicial custody from 14.02.2026. Hence this case.

3. The learned counsel appearing for the petitioner submitted that the contraband seized from the petitioner is only an intermediate quantity and the petitioner is in custody from 14.02.2026 and he is ready to cooperate with the investigation and abide by any other stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the seized contraband does not fall within the intermediate quantity and investigation in this case is pending and opposed to grant bail to the petitioner.

5. Even though it is stated investigation is pending; considering the submissions made by the learned counsel on either side; taking note of the period of incarceration undergone by the petitioner; the fact that the quantity involved in this case is intermediate quantity and Section 37 of NDPS Act is not



applicable, this Court is inclined to grant bail to the petitioner.

WEB COPY

6. 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 XV Metropolitan Magistrate Town at Chennai* and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the Trial Court daily at 10.30 a.m., for a period of four weeks.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW
5560];

WEB COPY

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

26-02-2026

smn

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

WEB COPY

1. The learned *XV Metropolitan Magistrate Town at Chennai*
2. The Inspector of Police,
H-3, Tondiarpet Police Station
Chennai.
3. The Superintendent,
Central Prison, Puzhal II
4. The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL OP No. 4556 of 2



K.RAJASEKAR, J.

smn

CRL OP No. 4556 of 2026

26-02-2026