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CRL OP No. 6816 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6816 of 2026

Mufallal S/o. Sakeer Hussain,
Varikkapulakkal House,
Manjadi, Kuttipuram,
Malappuram, Kerala.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
H3, Thondiyarpur Police Station,
Chennai.
[Cr. No.33 of 2026]

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in crime number 33 of 2026 on the file of the respondent police.

For Petitioner(s): M/S. P.P.Prakash

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.02.2026 for the alleged offences under Sections 8(c) read with Section 20(b) (ii)(A), 22(c), 25 and 29(1) of NDPS Act in Cr. No.33 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that the accused 1 to 7 conspired together and had purchased the contraband, viz., 27 nos. of MDMA tablets – 10.74 grams and 22 grams of OG Ganja, which is a commercial quantity, from unknown person in the State of Karnataka, for selling the same for their unlawful personal gain and this petitioner / A3 was found in possession of 1.63 grams of MDMA tablets and hence the case.

3. The learned counsel for the petitioner would submit that according to the case of the prosecution, there are totally 7 accused and this petitioner, who is A3, had possessed 1.63 grams of MDMA tablets, which is only an intermediate quantity and that the respondent police, without any rhyme or reason, have taken the recovery from all the accused, combined together to make it as a commercial quantity and the said conduct is contrary to the provisions of law. The learned counsel would further submit that there are no materials available before this Court so as to make possession of all of them, is known to each other, and in furtherance of criminal conspiracy among them and therefore, prayed to enlarge the petitioner on bail.

4. At this juncture, the learned Government Advocate appearing for the respondent police would submit that this petitioner was arrested and remanded to judicial custody on 05.02.2026 and investigation is at preliminary stage.



5. I have given anxious consideration to the submissions made by the learned counsel on either side.

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6. Taking into consideration of the factum of pendency of investigation and as rightly contended by the learned Government Advocate, it is not appropriate time to go into the aspect of separate recovery from the individual accused, this Court is of the view that it is not an appropriate stage to consider the bail application.

7. Accordingly, this Criminal Original Petition is **dismissed**.

20-04-2026

MJS

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 Public Prosecutor, High Court, Madras.

2. The Inspector of Police, H3, Thondiyarpet Police Station, Chennai.



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C.KUMARAPPAN, J.

MJS

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