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CRL OP No. 7395 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7395 of 2026

1. Balaji
2. Deva.R

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
K-11, CMBT Police Station, Chennai.

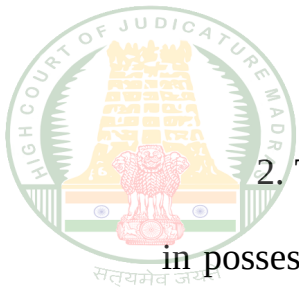
..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioners on bail in Crime No.24 of 2026 on the file of the respondent police.

For Petitioner(s):	M/S. D.Prasanna Kumar
For Respondent(s):	Mr.S.Vinoth Kumar Govt.Advocate (Crl Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 14.01.2026 for the alleged offences under Sections 126(2) and 123 of the Bharatiya Nyaya Sanhita, 2023, and subsequently altered to Sections 126(2) and 123 of the Bharatiya Nyaya Sanhita, 2023 read with Sections 8(c), 22(a), 27 and 29(i) of the NDPS Act, and thereafter altered to Sections 126(2) and 123 of the Bharatiya Nyaya Sanhita, 2023 read with Sections 8(c), 22(c), 27 and 29(i) of the NDPS Act, in Crime No.24 of 2026 on the file of the respondent police, seek bail.



2. The allegation against the petitioners is that the co-accused were found in possession of 2 grams of Methamphetamine and, based on their confession, the petitioners herein have been arrayed as A3 and A4. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and that the contraband involved is only of intermediate quantity. He would further submit that the petitioners have been in custody since 14.01.2026 and that the co-accused have already been enlarged on bail by the Hon'ble Supreme Court of India vide order dated 17.04.2026 in Special Leave to Appeal (Crl.) No.5482 of 2026. Hence, he prayed for grant of bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of bail, reiterated the prosecution case and, on instructions, fairly submitted that the petitioners have no bad antecedents and that no recovery has been made from 2nd petitioner.

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

6. Considering the facts and circumstances of the case, the period of incarceration undergone by the petitioners, the fact that the co-accused have already been enlarged on bail, the absence of any recovery from the 2nd



petitioner, and the recovery from the 1st petitioner is only an intermediate quantity, and also the fact that they have no bad antecedents, this Court is of the view that this is a fit case to enlarge the petitioners on bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his 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 V Metropolitan Magistrate Court, Egmore, Chennai, and subject to the following conditions:

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

[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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the



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conditions had been imposed and the petitioners released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioners thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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Index: Yes/No

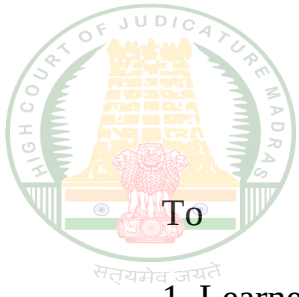
Speaking/Non-speaking order

Neutral Citation: Yes/No

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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. Learned V Metropolitan Magistrate Court, Egmore, Chennai
2. The Superintendent, Central Prison, Puzhal-2, Chennai.
3. The Inspector of Police, K-11, CMBT Police Station, Chennai.
4. The Public Prosecutor, Madras High Court.



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C.KUMARAPPAN, J.

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